

INFORMATION LETTER

Not for
Publication

NATIONAL CANNERS ASSOCIATION

For Members
Only

No. 941

Washington, D. C.

July 3, 1943

House Fails to Override President's Veto of Anti-subsidy CCC Legislation

OPA Appropriations and Grade Labeling Prohibition Approved By Conference Committee; Jones Succeeds Davis

Late Friday, the House failed to override a veto of the CCC bill. The vote, lacking 27 of the necessary two-thirds majority, was 228 to 154. The bill, with the President's message of disapproval, now goes to the House Committee on Banking and Currency where it originated. The President's message asked Congress to pass a resolution continuing the CCC and increasing its funds, and pledged cooperation of executive agencies in drafting of substitute legislation. (Earlier story follows.)

Major developments in the food situation during the past week included passage by Congress of the bill to extend the life of the Commodity Credit Corporation, with prohibitions against the use of its funds for payment of subsidies except under specific authorization by Congress; conference committee action on the war agency appropriation bill, with approval of the prohibition of the use of funds by the Office of Price Administration to require standardization and grade labeling or to employ personnel on price policy work who are without actual business experience; the war agency appropriation act, with prohibition of the use of funds by the Office of Price Administration to require standardization and grade labeling; the resignations of War Food Administrator Chester C. Davis and Associate Administrator Jesse W. Tapp, and the appointment of Judge Marvin Jones and Paul A. Porter, respectively, to succeed them.

Legislation on CCC Extension

Congressional discussion at long last has resulted in a definite expression of disapproval of the Administration's "rollback" subsidy program by the passage of the bill to extend the CCC until June 30, 1945, which was sent to the President on July 1. This bill prohibits the granting of any subsidy or other payment by any government agency intended for the purposes of (1) reducing the maximum or support prices for

any agricultural commodity, or commodities processed largely from agricultural commodities, or (2) substituting subsidies for increases of maximum or support prices of those commodities, or (3) maintaining maximum prices for those commodities, unless specific Congressional authorization is obtained for subsidies intended to be used for any of these three purposes.

This sweeping prohibition of the so-called "cost-of-living subsidies" for agricultural commodities is modified, however, by provisions which allow the completion of programs for the current year to which the Government was "committed" before June 15, 1943, and which permit the payments of subsidies which "accrued" before August 1, 1943.

Congress, in the same bill, amended Section 2(e) of the Emergency Price (Continued on page 7740)

Instructions to Canners On Withholding Tax

The attention of all cannery is directed to the fact that they are liable to the Government for all taxes required to be withheld from wages paid to employees under the current Tax Payment Act. That Act requires employers to withhold 20 per cent of each wage payment in excess of the withholding exemption for each employee, and applies to all payroll periods beginning on and after July 1, 1943. With respect to payroll periods beginning on, or prior to, June 30, 1943, only the Victory Tax need be deducted.

Canners should obtain from each employee a signed withholding exemption certificate, indicating his family status for the purpose of computing the withholding exemption. If the tax withheld by any canner in any calendar month exceeds \$100, he is required to deposit that amount with a bank authorized by the Secretary of the Treasury to receive deposits of withheld taxes. The names of authorized banks may be obtained from any local bank.

(Concluded on page 7748)

REASONS FOR INCREASES IN JULY RATION POINT VALUES

Rationing Division Reports Movement In Excess of That Reported For May and June

In a memorandum prepared by the Rationing Division of the Office of Price Administration, explanation is made of the increased point values effective July 4 for the major canned commodities. In general, the Division states, these increases result from a total movement in excess of scheduled disappearance for May and June. A movement of 18,000,000 cases was scheduled during May; actually 22,000,000 cases were moved out. The Division expects a similar movement to be reported for June.

This condition, if allowed to continue, it was stated, would reduce the civilian supply for next winter. Factors upon which the Division based its point changes for the major rationed items are given in the following paragraphs.

Fruit salad and cocktail.—The scheduled movement (this refers to estimated total disappearance) for May was 233,000 standard cases. The actual movement (this refers to movement reported by wholesalers) was 515,000 standard cases, or more than twice as great as scheduled. Sample surveys for June indicate that this excessive movement is continuing, and therefore it was necessary to raise the point value for July.

Peaches.—The scheduled movement for May was 641,000 standard cases. Actual reported movement was 1,188,000 standard cases, almost twice as much as was scheduled. Surveys for June indicated that the movement during this month was at a rate slightly greater than that during May. The scheduled movement was lowered for June to 622,000 cases, and for July to 532,000 cases, as a result of seasonal decline in consumption and excessive movement in preceding months. This lowered schedule, plus the continued excessive disappearance, necessitated

an increase in the point value of this commodity.

Pears.—The scheduled movement for May was 341,000 standard cases. Actual reported movement for this month was 608,000 cases, or an excessive movement of almost twice the amount scheduled. Surveys during June indicate that this high rate of movement is continuing, and it was therefore necessary to increase the point value on this commodity for July.

Beans, green and wax.—The scheduled movement for May was 1,508,000 standard cases; actual movement during May was 1,084,000 standard cases, or slower than scheduled by approximately one-third. Surveys for June indicated that actual movement was continuing at about the same rate. The June scheduled movement decreased to 1,160,000 cases. The reason for this decline in scheduling is due to a decrease in the historical seasonal consumption pattern from May to June. However, the possibility of a continued seasonal decline in disappearance made it necessary to reduce the point value rather than risk the backing up of stocks in the hands of packers.

Corn.—The scheduled movement for May was 1,780,000 standard cases. Actual movement was 2,131,000 standard cases, or approximately $\frac{1}{5}$ more than scheduled. This same excess movement existed during April, and surveys indicate that it will be maintained in June, thereby reflecting the necessity for an increase in point value. In addition, because of a sharp seasonal decline in July, the scheduled movement drops from 1,780,000 in June to 1,064,000 in July, pointing up the necessity for slowing down movement.

Peas.—Actual movement in May was slightly in excess of the 2,042,000 cases scheduled. Indications are that movement in June continued at this same rate despite an expected seasonal decline of more than one-third. Therefore, a point change upward was indicated. Moreover, similar changes were indicated for corn and tomatoes.

Tomatoes.—The scheduled movement for May was 2,077,000 standard cases. Actual movement reported for May was 2,221,000, or approximately 15 per cent in excess of schedule. While surveys indicate a slight drop in actual movement for June, the scheduled movement for July dropped sharply as a result of the decline in seasonal consumption to 1,577,000 standard cases. In order to make certain that actual movement is brought down in line with the scheduled movement, it was considered necessary to raise the point value on tomatoes for the month of July.

The reasons for point changes in other commodities can be summarized as follows:

Apples.—Movement was two and a half times as great as scheduled.

Apricots.—Movement was three times too great, supply is short.

Catsup and chili sauce.—Movement was much greater than scheduled.

Tomato paste.—Was moving too fast in comparison to scheduled movement.

Tomato pulp, purée and sauce.—Was moving too slowly in the smaller sizes.

The Division states that its policy is to set point values so that the quantity packed will move out before the next pack is available, but points out that actual movement cannot continue to be permitted to exceed the scheduled movement by 4,000,000 cases.

In the table below, the Division shows the stocks of canned fruits and vegetables available for the civilian trade in canners' and wholesalers' hands on June 1, 1943, compared with the same date a year earlier.

	June 1, 1942	June 1, 1943
	Cases	Cases
Corn.....	7,291,000	4,781,000
Peas.....	5,572,000	3,865,000
Tomatoes.....	8,777,000	6,119,000
Beans.....	2,601,000	6,000,000
Peaches.....	5,377,000	3,663,000
Pears.....	2,549,000	2,693,000
Fruit salad and cocktail..	2,538,000	988,000

RATION CURRENCY TIME-LAG

OPA Amendments Set Maximum of 10 Days From Transfer of Merchandise For Currency Payment

In a further move to bring its ration regulations into the closest possible conformity with the food industry's normal trade practices, the Office of Price Administration, on June 29, announced that after July 6, 1943, a maximum of ten days from the time merchandise is transferred will be permitted for the payment of ration currency under both Ration Order 13 (processed foods) and Ration Order 16 (meats-fats). The extension of the time lag applies to all industry transfers with the exception of those to the consumer.

This provision is contained in companion amendments to the regulations—Amendment No. 40 to Ration Order 13 and Amendment No. 41 to Ration Order 16. In addition, the two regulations are now brought into conformity regarding the permitted time lapse.

Up to the present, a maximum delay of seven days has been permitted for Ration Order 16 foods and this only in certain instances. Under the processed foods Order 13, a lag of three days has been permitted in even more limited cases.

Both of the amendments contain like provisions regarding delayed payments by wholesalers and retailers. A transfer may not be accepted unless the pur-

chaser has sufficient points on hand to "pay for" the foods. The points on hand are defined to include all in the ration bank account, except those for which ration checks are outstanding or owed for foods already acquired.

In addition, the seller must keep a memorandum showing the name of the buyer, the date of transfer and the weight and point value of the foods for which he is owed points.

If the buyer does not surrender the required points within the ten-day limit, the seller is required to report the default to the OPA district office for the place where the transfer was made. As long as a buyer is in default for payment of points he is not permitted to acquire any foods rationed under Ration Orders 13 or 16.

Officials stressed that the ten-day period starts when the transfer takes place. Transfer includes either transfer of the foods or transfer of the title to the foods. If transfer of title occurs first, the ten-day period starts at this time.

Both amendments are effective July 6, 1943.

End-use of Grapes Controlled

Through an amendment to Food Distribution Order 17 governing dried fruit, no producer of raisin variety grapes or Zante Currant grapes may sell or deliver such grapes produced in 1943 except to the Food Distribution Administration (including but not being limited to the Federal Surplus Commodities Corporation) or to any person designated by the Director of FDA or to a dehydrator for the purpose of converting such grapes into raisins or Zante Currants. No producer may, unless specifically authorized by the Director, use more than 100 pounds of raisin variety grapes or Zante Currant grapes for any purpose other than for conversion into raisins.

The term "producer" means any person engaged in the production of raisin variety grapes or Zante Currant grapes; and such term includes, but is not limited to, any owner of such grapes at the time of the harvesting or picking of such grapes.

Officers of Cannery League

Following are the 1943 officers of the Cannery League of California, elected at the June 25 annual meeting: President, Carl N. Lovegren; vice-presidents, A. W. Eames, California Packing Corp.; H. E. Gray, Barron-Gray Packing Co.; Preston McKinney, and W. S. Everts; treasurer, A. R. Plummer, Kings County Packing Co., and secretary, Sylvia Kempton.

LABOR AREA LIST REVISED

Four More Communities Added to WMC's Acute Shortage Classification

The total number of labor market areas classified according to labor supply and used as the basis for development of manpower programs is now 291, according to the War Manpower Commission's new grouping, made public June 28. Four communities have been added to the list of areas where acute labor shortages exist: Muskegon, Mich., Stockton, Calif., Anniston, Ala., and Gadsden, Ala., bringing the Group I areas to a total of 46. Added to the classified list are 13 areas, of which two—Anniston and Gadsden, Ala.—are added to the areas of acute labor shortage.

The area classification, which serves also as a guide for procurement agencies in the placing of war contracts and in planning special recruitment programs by the War Manpower Commission, is revised each month to make allowance for changes in the available labor supply.

The Commission divides labor areas into four groups:

Group I—areas of acute labor shortage—46 areas.

Group II—areas of labor stringency or in which a labor shortage may be anticipated within six months—101 areas.

Group III—areas in which a general labor shortage may be anticipated after six months—70 areas.

Group IV—areas in which the labor supply is and will continue to be adequate to meet all known labor requirements—74 areas.

Areas in Group IV, where there is a plentiful supply of labor, are designated as those in which an effort should be made to renew contracts, place new contracts, and locate new production facilities.

Changes in classification between May and June, 1943, are as follows:

1. Transferred from Group II to Group I: Muskegon, Mich.; Stockton, California.
2. Transferred from Group III to Group II: Spartanburg, S. C.
3. Transferred from Group II to Group III: Long Branch and Morristown, N. J.; York, Pa.
4. Transferred from Group III to Group IV: Baton Rouge, La.; El Paso and Waco, Tex.
5. Transferred from Group IV to Group III: Fall River, Mass.; Knoxville, Tenn.; Miami, Fla.; Newburgh, New York.
6. Transferred from Group IV to Group II: Billings, Mont.

7. Classified for the first time and added to the list:

	Group
Danville, Va.	IV
*Anniston, Ala.	I
*Gadsden, Ala.	I
*Lebanon, Pa.	II
Meridian, Miss.	III
Monroe, Mich.	II
*Fort Huron, Mich.	II
Reno, Nev.	II
*Santa Ana, Calif.	II
*Santa Barbara, Calif.	II
*Tuscaloosa, Ala.	IV
Ventura, Oxnard, Calif.	II
*West Palm Beach, Fla.	IV

* These areas were added to the list at the request of Regional Directors in anticipation of the change in coverage beginning in July which will classify all areas of 25,000 and over.

FOOD PROCESSING WORKERS

Manpower Commission Announces Series of National Radio Appeals to Enlist Volunteers

Through the Office of War Information, arrangements have been made to carry appeals for food processing workers on a number of national network programs during the weeks of July 5 and July 12.

These appeals will stress the urgency of the need and will ask people to be ready to answer the call in their own communities when local mobilizations get under way.

The specific message that will be carried, as prepared by the Office of War Information and distributed to the war program managers at each radio station in the country, is as follows:

"With the help of volunteer workers of the U. S. Crop Corps, our farmers hope to meet the tremendous food production goals which the war demands. But after that food has been produced and harvested it must be processed—canned, dehydrated, or frozen—before it can be of use to our fighting forces, our allies, or ourselves. Processing plants and canneries which employed surplus labor in peacetime now need the help of the U. S. Crop Corps. These workers will be recruited by local county extension service agents and the U. S. Employment Service and will receive prevailing wages. 'Be ready to answer the call when it comes in your community'."

Following is the list of radio programs which will carry these announcements during the week of July 5:

BLUE NETWORK

July 5.. 10:00 pm	Raymond Gram Swing
July 6.. 10:30 pm	This Nation At War
July 7.. 11:15 am	Breakfast at Sardi's
July 7.. 10:30 pm	Alec Templeton Time
July 8.. 6:45 pm	Lowell Thomas
July 10.. 10:15 am	Mirandy of Persimmon Heller
July 11.. 4:30 pm	Green Hornet
July 11.. 9:30 pm	Jimmy Fidler

COLUMBIA BROADCASTING SYSTEM

July 5.. 1:00 pm	Life Can Be Beautiful
July 5.. 10:30 pm	Three Ring Time
July 6.. 8:30 pm	Al Jolson
July 7.. 3:00 pm	Crumit and Sanderson
July 8.. 5:30 pm	Are You A Genius
July 8.. 8:00 pm	Grapevine Rancho
July 9.. 3:15 pm	Joe and Ethel Turp
July 9.. 8:00 pm	Kate Smith Hour
July 10.. 9:30 am	Garden Gate
July 10.. 1:00 pm	Columbia Country Journal
July 10.. 6:00 pm	Quincy Howe
July 11.. 2:30 pm	World News Today
July 11.. 6:30 pm	Sergeant Gene Autry
July 11.. 9:00 pm	Radio Readers Digest

MUTUAL BROADCASTING SYSTEM

July 5.. 12:00 pm	Boake Carter
July 5.. 3:00 pm	Arthur Gaeth—News
July 6.. 3:30 pm	Shady Valley Folks
July 6.. 5:00 pm	Sheelah Carter
July 6.. 7:30 pm	Richfield—(Confidentially Yours)
July 7.. 7:30 pm	California Melodies
July 7.. 8:30 pm	Take a Card
July 8.. 3:00 pm	Arthur Gaeth—News
July 8.. 5:45 pm	Superman
July 8.. 10:00 pm	Raymond Clapper
July 9.. 2:30 pm	Mutual Goes Calling
July 9.. 5:00 pm	Sheelah Carter
July 11.. 6:00 pm	Murder Clinic

NATIONAL BROADCASTING COMPANY

July 5.. 2:15 pm	Lonely Women
July 5.. 6:00 pm	Music By Shrednik
July 5.. 9:30 pm	Dr. I. Q.
July 6.. 3:00 pm	Mary Martin
July 6.. 11:15 pm	Richard Harkness
July 7.. 2:45 pm	Hymns of All Churches
July 7.. 7:00 pm	Fred Waring
July 8.. 10:15 am	The O'Neills
July 8.. 2:00 pm	Light of the World
July 9.. 7:45 am	Reveille Roundup
July 9.. 1:45 pm	Carey Longmire
July 9.. 11:15 pm	Richard Harkness
July 10.. 9:00 pm	National Barn Dance
July 11.. 12:00 pm	Emma Otero

Adjustment of GMPR Prices To Cover Increased Wages

Sellers of goods and commodities provided with ceiling prices by the General Maximum Price Regulation were given a procedure June 29, by which they may apply for increases in prices under limited conditions to allow for wage increases granted before April 8, 1943, with the approval of the War Labor Board.

The Office of Price Administration announced that in Amendment No. 8 to Supplementary Regulation No. 15 to GMPR, which becomes effective July 6, adjustments in the maximum prices of commodities subject to the general regulation may be made in any case in which the following conditions are met:

1. Where a wage increase has been approved by the WLB prior to April 8, 1943.
2. Where the increased cost resulting from the increase in wage rates cannot be absorbed by the seller out of profits.
3. Where the increase in the price will not be passed on by the purchaser of the commodity which the seller sells.
4. Where the increase in the adjusted maximum price will not exceed the in-

crease in labor costs resulting from the increase in wage rates.

5. Where application for adjustment is received by the Office of Price Administration within 15 days after July 6, 1943.

CANNED TUNA RELEASED

Entire Output After June 27 Is Made Available to Trade by Terms of Amended FDO 44

The War Food Administration announced on June 28 that the entire production of canned tuna and tunalike fishes packed after June 27 will be available for civilian consumers.

That part of the canned fish reservation order (Food Distribution Order 44) which required packers to reserve 60 per cent of the 1943 pack of canned tuna, bonito and yellowtail—was removed, effective June 28. This will mean an increase of about 25,000,000 pounds in the quantity of these canned fish available to civilian consumers from the 1943 pack, it was announced.

Government reservation of substantial percentages of other leading varieties of canned fish, however, such as salmon, sardines, mackerel and shrimp, continues in effect.

FDO 44 also was amended in other respects. The term "canner" was redefined to mean the firm or person who is the first owner of the canned fish or shellfish, and places on such firm or person the responsibility of making the required delivery to the Government. This eliminates the possibility of misunderstanding where fish are canned by one firm for another.

To facilitate administration of FDO 44, the amended order allows a packer a margin of tolerance in making deliveries to the Food Distribution Administration for the Government. For example, in making delivery of the salmon canned, a packer may deliver not less than 54 per cent, nor more than 56 per cent. The tolerance provision is retroactive, and applies to the entire pack of all species, including tuna, put up since April 1, 1943.

Under the amended order FDA continues to be the sole purchasing agent for all canned fish under the reservation order.

Canned fish reserved by FDA for the Government are allocated for the armed services, for Lend-lease and for other government needs. With the present reservation program, it is expected that all of the Government's requirements for canned fish from the 1943 pack will be met. Text of Amendment No. 1 to FDO 44 follows.

Food Distribution Order No. 44 (8 F.R. 4227), § 1465.20, issued under the

authority of the Secretary of Agriculture on April 1, 1943, is amended by deleting the provisions of § 1465.20 thereof and inserting, in lieu thereof, the following:

§ 1465.20 Allocation and restriction on sales of 1943 pack of canned fish and canned shellfish.

(a) Definitions.

When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "canner" means any person who is the first owner of canned fish or canned shellfish.

(2) The terms "canned fish" and "canned shellfish" mean fish and shellfish, respectively, which have been packed in the Continental United States or in the Territory of Alaska for commercial purposes in hermetically sealed metal or glass containers and sterilized in the containers by the use of heat.

(3) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group or persons, whether incorporated or not.

(4) The term "pack" means the total amount, by net weight, of all grades of fish and shellfish enumerated in groups 1 to 6, inclusive, in (b)(1) hereof, packed by any canner during the period from April 1, 1943, to February 29, 1944, inclusive, and the total amount, by net weight, of all grades of fish enumerated in groups 7 to 10, inclusive, in (b)(1) hereof, packed by any canner during the period from April 1, 1943, to June 27, 1943, inclusive.

(5) The term "Director" means the Director of Food Distribution, War Food Administration, or any employee of the United States Department of Agriculture designated by such Director.

(6) The term "governmental agency" means the Food Distribution Administration or any other agency or instrumentality of the United States designated by the Director.

(7) The term "delivery to governmental agencies" means the transfer of title of the canned fish or canned shellfish to any governmental agency; and such delivery may be evidenced by execution of bill of lading, receipt, or other document acceptable to the Director or the designated governmental agency.

(b) Restrictions on canners.

(1) No canner, after the effective date of this order, may sell or deliver any part of his pack as defined in (a)(4) hereof of the fish or shellfish enumerated in this paragraph, except as permitted by the provisions of this order. The fish and shellfish included in this order are, by groups, as follows:

Group 1—Salmon: Red, sockeye or blueback (*Oncorhynchus nerka*); Pink (*Oncorhynchus gorbuscha*); Silver, silverside, medium red, or coho (*Oncorhynchus kisutch*); Chum or keta (*Oncorhynchus keta*); King, chinook or spring (*Oncorhynchus tshawytscha*); Steelhead, or steelhead trout (*Salmo gairdneri* and *S. Clarki*, sometimes called *S. Gairdneri*).

Group 2—Pilchard (*Merluccius carassius*), by whatever name known, including sardines.

Group 3—Sea herring: Atlantic (*Clupea harengus*), by whatever name known, including sardines.

Group 4—Atlantic mackerel (*Scomber scombrus*).

Group 5—Pacific mackerel (*Pseudomacrus japonicus diego*); Pacific horse mackerel (*Trachurus symmetricus*).

Group 6—Shrimp (*Peneus setiferus* and *Peneus brasiliensis*).

Group 7—White-meat tuna: Albacore, or long-finned (*Germo alalunga*).

Group 8—Light-meat tuna: Yellowfin (*Neothunnus macropterus*); Skipjack, or striped (*Katsuwonus pelamis*), sometimes called *Euthynnus pelamis*; Bluefin, or leaping (*Thunnus thynnus*, sometimes called *Thunnus aliens*).

Group 9—Yellowtail (*Seriola dorsalis*).

Group 10—Bonito (*Sarda chilensis*).

(2) Any canner may deliver to such governmental agencies as the Director may designate, the quotas, but not in excess of such quotas, specified in (b)(3) hereof, of the canned fish or canned shellfish listed in groups 1 to 6, inclusive, in (b)(1) hereof, packed at any time by such canner during the period from April 1, 1943, to February 29, 1944, inclusive, and the quotas, but not in excess of such quotas, specified in (b)(3) hereof, of the canned fish listed in groups 7 to 10, inclusive, packed at any time by such canner during the period from April 1, 1943, to June 27, 1943, inclusive.

(3) The following percentages by net weight are hereby established as each canner's quota percentages for sale to governmental agencies, of his pack of fish or shellfish enumerated in (b)(1) hereof packed by such canner:

Not less than 54 per cent and not more than 56 per cent of each of the species of group 1 packed at any time from April 1, 1943, to February 29, 1944, inclusive; not less than 54 per cent and not more than 56 per cent of each of the groups of fish or shellfish listed in groups 2 to 6, inclusive, packed at any time from April 1, 1943, to February 29, 1944, inclusive; and not less than 50 per cent and not more than 61 per cent of each of the groups of fish listed in groups 7 to 10, inclusive, packed at any time from April 1, 1943, to June 27, 1943, inclusive.

(4) Notwithstanding any provision of Food Distribution Regulation No. 2 or of any other regulation or order to the contrary, the Food Distribution Administration is hereby allocated the quantities prescribed in (b)(3) of this order, and authorized to purchase, for governmental agencies those quantities, designated as each canner's quota, and such other and further quantities as may be allocated to it from time to time.

(5) Any canner, who during any period beginning with April 1, 1943, and ending not later than February 29, 1944, inclusive, has delivered to governmental agencies the quota of his pack, stated in (b)(3) hereof, may deliver to persons other than governmental agencies the remainder of his pack, packed

in that period; and such remainder of the pack may be delivered by such canner in advance of delivery of his quota to governmental agencies, if so authorized by the Director.

(d) The Director may issue specifications at any time as to the packing of the canned fish or canned shellfish, the containers, container treatment, can marking, labeling, boxing, and strapping in connection therewith, or he may authorize any governmental agency to issue such specifications. Any person subject to the provisions of this order shall comply with any such specification, issued by the Director or authorized governmental agency, applicable to the canned fish or canned shellfish processed by such person.

(e) *Inspection and grading.*

Any canned fish or canned shellfish required to be set aside under this order shall be subject to inspection and grading at any time by the Director or any governmental agency designated by him.

(f) *Records and reports.*

The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(g) *Audits and inspections.*

The Director shall be entitled to make such audit or inspection of the books, records, and other writings, premises or stocks of canned fish or canned shellfish of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(h) *Applicability of order.*

Any person doing business in one or more of the 48 States, the District of Columbia, or the Territory of Alaska, is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business in any other Territory or Possession of the United States with respect to such business.

(i) *Violations.*

The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using canned fish or canned shellfish, or any other material subject to priority or allocation control by the War Food Administrator and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other government agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under

any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(j) *Petition for relief from hardship.*

Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(k) *Communications.*

All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref. FD-44.

(l) *Previous requirements continued in effect.*

With respect to violations of Food Distribution Order No. 44, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 44 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(m) *Effective date.*

This order shall become effective at 12:01 a. m., EWT, June 28, 1943.

Canned Tuna Labeling

Because of the war emergency, tuna fish canners may encounter difficulty in obtaining the particular vegetable oil they customarily use. Other vegetable oils may be used with appropriate label change. In order to obtain the widest possible latitude in the use of vegetable oils, the Food and Drug Administration has indicated that it will sanction, for the duration of the emergency, either of the following two label statements: "Packed in salad oil (cottonseed, soya, and/or corn)" or "Packed in (cottonseed, soya, and/or corn) oil."

ODT Promotes John L. Rogers

Joseph B. Eastman, Director of Defense Transportation, has named John L. Rogers, who has been Director of the ODT's Division of Motor Transport, as Assistant Director of the ODT. His functions will be to assist and advise Mr. Eastman, to have general charge of all matters relating to motor trucks, subject to Mr. Eastman's direction, and to perform such other special duties as may be assigned to him.

Maximum Prices Are Scheduled For 48 Species of Fresh Fish

Maximum prices for 48 species of fresh fish, in sales by producers and wholesalers, were established on a specific cents-per-pound basis June 30 by the Office of Price Administration, in Maximum Price Regulation No. 418.

A companion retail price regulation will follow as soon as possible and will represent marked reductions under going retail prices. Fresh fish and shellfish have not previously been under price control. Frozen and processed fish already are under price control and setting of producer and wholesaler maximums on fresh fish is expected to lead to some revisions in prices of the frozen and processed commodity.

The maximum prices established are in five categories, at the port of entry. To figure them in any other city, transportation costs are added. The regulation authorized OPA Regional Offices to level off charges in the interests of uniform maximum prices by establishing a specific transportation allowance for any area or locality within its jurisdiction. The Regional Office may transfer this authority to District Offices.

The five categories for which maximum prices are established are ex vessel—the producer's price, both in bulk and boxed; primary fish shipper-wholesaler, retailer-owned co-operative wholesaler, cash-and-carry wholesaler, service-and-delivery wholesaler. Pricing throughout is by type of sale.

To Increase Pickle Ceilings

Price ceilings for the 1943 pack of pickles will be established soon at levels sufficiently over those for 1942 to permit processors to pay cucumber growers an average of 25 cents per bushel over prevailing 1942 prices, the Office of Price Administration announced June 29.

The increase is mandatory under the terms of the amended Emergency Price Control Act of 1942, which requires that maximum prices on agricultural commodities be established so as to reflect to the grower the higher of either parity or the highest price between January 1 and September 15, 1942. In this instance, the higher is parity.

To maintain a customary differential in payments to the growers, the increase is applicable to each district, variety, size and quality. The average United States grower price during the 1942 season was 30 cents per bushel.

Retailers and wholesalers will be allowed to calculate new maximum prices based on these higher costs, it was stated.

Maximum Pricing For New Preserves, Jams and Jellies

More simplified maximum pricing for new items of fruit preserves, jams and jellies was provided packers on July 2 by the Office of Price Administration.

Hitherto, on new items which could not be readily priced by packers under the formula provided in Maximum Price Regulation No. 226 (Fruit Preserves, Jams and Jellies) and for which competitive prices did not exist, special application had to be made to OPA for a specific ceiling level. This resulted in unavoidable delay.

The new action, in Amendment No. 7 to this regulation, which became effective July 2, gives packers the option of establishing their own maximum prices on these new items, using the formula which OPA would employ, and submitting the maximum prices to OPA for approval within 10 days.

If packers prefer, they may continue the former system of applying to OPA for a maximum price, but it is expected that all packers who are able to use the new optional formula will do so be-

cause of the time saved and because the same formula in most cases would be used by OPA anyway in determining the ceiling level.

Under this optional formula, the packer first determines the direct cost of the product for which he seeks a maximum price, and then multiplies this figure by a percentage mark-up. This is calculated by dividing the maximum price of his most closely comparable commodity by his direct cost of that commodity. The result is his maximum price for the new item.

The maximum permissible percentage for the comparable commodity is 150 per cent. The direct cost of the commodity being priced is established by adding together direct labor figured at October 3, 1942, wage rates or as adjusted by the War Labor Board, and the cost of ingredients and packaging materials figured at OPA maximum prices or, where no maximum prices have been established, at their current market levels. The most comparable commodity in no event may be less than two-thirds of the direct cost of the new item.

PEAS FOR CANNING

Acreage Reports Show Increase of 1.2 Per Cent Over Last Year

The acreage of peas planted for canning only, totaled 433,223 for 1943, as compared with 428,141 acres for 1942, according to the Association's Division of Statistics. This represents an increase of 1.2 per cent. Most of the increase in acreage is in Wisconsin, Minnesota and the Northwest. The principal decreases in planted acreage were in New York and Michigan, where adverse planting conditions prevented canners from getting their intended acreage sown.

Some of the acreage that was planted in New York developed poor stands because of wet, cold ground and poor

germination. In Ohio and Indiana a large part of the Alaska acreage was reported lost because of excessive rains and floods. Some of the Utah acreage was lost because of freezes. Thus in those States the abandonment of planted acreage appears greater than in former years.

Reports from sections that have completed their Alaska pack indicate very good yields in the Middle Atlantic section and Wisconsin. Continued high temperatures during the last week have caused considerable bunching and some canners have reported abandonment of some acreage, particularly in Wisconsin.

The table below shows a comparison of the planted acreage in 1942 and 1943, by States.

State	1942		1943	
	Alaskan Acres	Sweets Acres	Alaskan Acres	Sweets Acres
Maine.....	113	2,012	.....	3,800
New York.....	3,135	32,638	370	18,372
Maryland.....	19,516	2,731	11,886	3,069
Delaware and New Jersey.....	2,578	5,800	4,088	5,716
Pennsylvania.....	5,211	3,123	9,533	5,704
Ohio.....	5,823	2,645	6,230	1,587
Indiana.....	11,156	746	11,654	1,185
Illinois.....	7,734	13,768	7,526	13,899
Michigan.....	5,055	7,188	2,100	5,900
Wisconsin.....	87,770	60,408	94,192	60,388
Minnesota.....	11,880	21,578	13,413	22,555
Utah and Idaho.....	279	16,727	724	16,829
Washington and Oregon.....	2,031	68,012	16,708	60,443
Other States.....	10,680	16,165	12,017	14,955
Total.....	172,660	255,481	190,317	242,852

Amendments Grant Priority Assistance to Laboratories

Priority assistance for materials required by scientific and technological laboratories and deliveries of laboratory equipment is effected by two amended orders (P-43 and L-144), issued June 28 by the War Production Board.

Preference Rating Order P-43 as amended assigns preference ratings and an allotment symbol to laboratories, as defined in the order, to assist them in obtaining all materials and equipment needed to carry on scientific or technological activities.

All laboratories receive a preference rating and allotment symbol under the amended order. However, those laboratories carrying on work of great importance to the war effort are entitled to obtain a serial number under the order; and if they obtain a serial number, they may use a higher preference rating than other laboratories. (Serial numbers assigned under the former Order P-43 are valid under the amended order without re-application.) Also, all laboratories owned or operated by the Army or Navy receive high preference ratings.

The amended L-144 restricts the delivery of any one item or quantity of the same item of laboratory equipment having a value of \$50 or more, or the delivery on a purchase order of laboratory equipment worth \$200 or more, even though no item or quantity of the same item on the order has a value of \$50 or more, unless authorized by WPB on Form WPB-1414 (formerly PD-620).

Tinplate Manufacture Ruling

Tinplate for can manufacturers may be made in advance and held at steel mills for later shipment as directed by the can manufacturer, the War Production Board said June 29.

This procedure, customary because of the seasonal nature of the canning industry, is permitted by Direction No. 19 to CMP Regulation No. 1.

USDA Corrects Its Pea Figures

Through an error in their report on pea acreage and indicated production, published in the last INFORMATION LETTER, the Department of Agriculture gave the planted acreage in 1942 as the acreage harvested in that year. The planted acreage in 1942 was 475,000 acres; the acreage actually harvested was 434,220.

Distributors' Pricing Methods Reinstated for Cuban Pineapple

The methods of pricing canned Cuban pineapple and canned Cuban pineapple juice which were used by wholesalers and retailers before May 17, were reinstated June 29 by the Office of Price Administration.

The action took these food products from the fixed mark-ups regulations on food products—Regulations 237 and 238 which went into effect May 17—and transferred them back to price measures which formerly controlled them.

The action was taken to avert possible price increases because of the lack of an effective control at the import level in the fixed mark-ups regulation. The items were returned to Regulation 107 (Canned Fruits and Canned Berries at Wholesale and Retail) under which there were effective limitations on the amounts importers could pay. Under the fixed mark-up regulations wholesalers and retailers added specified mark-ups to their direct costs but there was no method of stabilizing the import level of prices.

The exclusions from the fixed mark-ups were contained in Amendment No. 5 to Regulation 237 and Amendment No. 5 to Regulation 238, which become effective July 6, 1943.

Canned Potato Sales Exempt

Sales of canned white potatoes to government procurement agencies were exempted from price control June 28, by the Office of Price Administration.

The use of tin in canning white potatoes has been prohibited as a war measure, except for sales to government agencies.

Canned white potatoes previously had been priced under the General Maximum Price Regulation. The maximum prices thus established would make it impossible for canners to sell under present-day conditions.

For this reason Amendment No. 19 to Supplementary Regulation No. 1 was issued. It became effective as of June 28.

Price Increases for Specialties

Manufacturers of six miscellaneous foods were granted increases in maximum prices July 2 by the Office of Price Administration to offset increased costs of raw materials already in effect at other levels.

The items involved were peanut butter sandwiches and peanut candy, macaroni and spaghetti dinners and chow mein noodles, dietetic health foods (soy

milk, vegetarian sandwich spread and vegetarian dietary meats) and rice farina cereal.

All are priced under Maximum Price Regulation No. 262 (Seasonal and Miscellaneous Food Commodities), a formula regulation. This action, allowing the manufacturers to pass on their added costs, was taken through Amendment No. 7 to that regulation. The amendment becomes effective July 9.

Canners Called to Capital on CCC Vegetable Program

Officials of the Commodity Credit Corporation have called a group of canners to Washington for a meeting on July 12 to consider the Corporation's canned vegetable program in the light of the press statement issued by the Director of Economic Stabilization on June 11, 1943. The text of the press statement was mailed by the Association to members on June 12 and reprinted in the INFORMATION LETTER for June 19.

Canners called to the meeting include A. D. Radebaugh, H. K. Bachelder, E. F. Trego, Howard Cumming, E. N. Richmond, Henry P. Taylor, Ralph O. Dolany, and George T. Sanders.

Connally-Smith Bill Enacted Over the President's Veto

Overriding the President's veto within two hours after it had been received, Congress on June 25, enacted into law the Connally-Smith anti-strike bill. In the Senate the vote was 56 to 25 and in the House 244 to 108. Principal provisions of the new law are:

1. President authorized to seize and operate mines and plants in which supplies necessary to war program are produced.
2. In event of seizure, plants shall be operated under terms and conditions of employment in effect at time of seizure.
3. Majority of employees in plant may apply to War Labor Board for changes in wages or other conditions of employment.
4. Provides penalties for striking against Government or for instigating or aiding such strikes—up to \$5,000 fine or imprisonment for one year.
5. Gives the War Labor Board power to subpoena and definite statutory power to intervene in disputes.
6. Provides 30-day cooling-off period and for secret strike ballot.
7. Prohibits political contributions by labor unions.

The Association sent the above information out in the form of a special bulletin on June 26.

To Limit Fresh Market Use of West Coast Peaches and Pears

The War Food Administration and the Office of Price Administration on June 28 announced the broad outlines of a program to govern the marketing of Pacific Coast peaches and pears.

The program, details of which will be announced within the next two weeks, will involve limitation on these commodities for fresh market use, with ceiling prices on them in both raw and processed form. It is based on the need for processed fruits in the war effort and the importance of maintaining prices to consumers at reasonable levels, it was stated.

To prevent undue diversion into fresh outlets, inter-state shipments of fresh cling and freestone peaches will be prohibited by WFA orders, except in those instances where such prohibition might lead to food wastage.

Limitation also will be placed on the inter-state shipments of Bartlett and Hardy pears into the fresh market to obtain the desired allocation of the supply between fresh and processed uses.

Intra-state uses of these products in fresh form normally absorb only a small part of the total supply and no limitation will be placed on these intra-state fresh outlets unless unusually heavy demands develop. These limitation orders will be administered in the field, in cooperation with growers and handlers, so as to assure the flexibility necessary to prevent any wastage of food.

The Office of Price Administration will establish ceiling prices for these fruits both in raw and processed form.

How to Address M-81 Appeals

To insure the prompt consideration of all appeals to Conservation Order M-81, canners are advised to address mail and telegraphic communications to Glenn Knaub, Administrator, M-81, Room H-151, Temporary Building E, War Production Board, Washington. D. C. Mr. Knaub can be reached by phone by calling REpublic 7500, Branch 4778.

Under the recent agreement between WPB and the War Food Administration, all appeals dealing with food containers under the tin order (M-81) are handled by a WFA administrator. It is in this capacity that Mr. Knaub acts as an employee of the WFA, although his office is in the Containers Branch of WPB.

RENEGOTIATION EXTENDED

Act Is Expanded To Include Contracts With 4 RFC Subsidiaries

Section 403 of the Sixth Supplemental National Defense Appropriation Act, commonly known as the Renegotiation Act, has been broadened by Congress to include contracts with the Defense Plant Corporation, Defense Supplies Corporation, and the Rubber Reserve and Metals Reserve Companies. This was accomplished June 30 by an amendment to the Military Establishment Appropriation Bill of 1944 (H. R. 2906).

Originally the House included in that bill a provision extending the Renegotiation Act to the DPC and the DSC, but this provision was stricken out by the Senate. The Conference Committee then inserted a provision extending the Renegotiation Act to the four RFC subsidiaries mentioned above.

Although the bill has not yet been signed by the President, there is little doubt that it will become law. The amendment provides that all provisions of the Renegotiation Act shall apply to contracts with the four RFC subsidiaries, and the law will, therefore, apply retroactively to all contracts with those departments if final payment pursuant thereto was not made prior to April 28, 1942.

On June 30, the House Naval Affairs Committee concluded hearings for the purpose of investigating the operation and value to the war effort of renegotiation proceedings which have been conducted up to the present time. It is expected that the House Ways and Means Committee will hold similar hearings in the fall and that no concrete Congressional action will be taken until these are concluded.

Position of Cannery

To explain the canning industry's position on the subject of renegotiation, H. T. Cumming, Chairman of the Association's Committee on Renegotiation of Government Contracts, filed with the House Naval Affairs Committee a statement outlining the procurement policies of the Government in relation to the canning industry and reviewed the numerous regulations under which it is forced to operate. Mr. Cumming concluded his statement by requesting that all regularly manufactured canned foods be exempted from renegotiation.

Roy Hendrickson, Director of the Food Distribution Administration, also presented a statement to the Naval Affairs Committee, in which he outlined the purchasing practices of FDA. Mr. Hendrickson pointed out that although FDA does not purchase on the basis

of negotiation with individual companies, its commodity specialists know a great deal about margins and costs in the food industries and are familiar with the normal and current relationships which exist between prices paid to farmers and those received by vendors for the processed commodities. He stressed the fact that these relationships were constantly watched in the conduct of procurement operations. Although not opposing the extension of the Renegotiation Act to contracts with the Department of Agriculture, he stated that the possible effect of the extension of the legislation might be to increase, rather than to reduce, profit margins.

Mr. Hendrickson concluded his remarks with the statement that FDA has had no experience in operating under the Renegotiation Act, and therefore is not in a position to determine its effects, and that if Congress determines that the legislation should be extended to Department of Agriculture contracts the Department would raise no objections.

Renegotiation Meeting

Chairman Howard T. Cumming has called a meeting of the Committee on Renegotiation of Contracts, to be held at the Office of the Association on Tuesday, July 13.

WANTED AND FOR SALE Machinery—Equipment

This column is open only to members of the Association who want to buy or sell canning machinery and equipment. Names of firms listing the items below will be furnished upon application to the Association. In requesting names, please identify items by number.

WANTED

96-W—Three "stem wind or electric cooking clocks for timing retort cooking.

97-W—125-h.p. boiler, either Scotch marine type or return tubular. Must be in first class condition for shipment to Florida.

FOR SALE

252-S—Nine-spout Karl Klefer rotary filler.

253-S—Four copper kettles, from 100 to 400 gallons.

New Form Supplants Former PD-285 Priority Application

The former PD-285 form, provided for by Order P-115 and required for release of canning machinery or equipment under Order L-292, has been supplanted by a new form—WPB-576—just issued by the Priorities Division of the War Food Administration.

Information called for in the new form is essentially the same as was required by the old PD-285 form, the principal difference being that the new form is to be submitted in quadruplicate instead of in duplicate.

The new WPB-576 forms are available at the Priorities Division and at WPB field offices. The Division requests that canners start using them exclusively at once, since four copies are required under the new processing procedure that has been established. On and after July 12, applications on the old PD-285 form will not be processed, it was stated.

Trade Agreement with Paraguay

The Department of State has announced its intention of negotiating a trade agreement with Paraguay and has given notice that presentation of information and views in writing with respect to the negotiation of the agreement must be submitted to The Chairman, Committee for Reciprocity Information, Tariff Commission Bldg., Eighth and E Sts., N. W., Washington 25, D. C., not later than noon of July 23. Applications for supplemental oral presentation of views must be made by the same deadline.

The Department also announces that a public hearing will be held before the Committee on August 4.

Home Canning of Fruit Juices

Recommendations on methods of home processing of fruit juices have been released by the Bureau of Human Nutrition and Home Economics of the Department of Agriculture.

Instructions on Withholding Tax (Concluded from page 7741)

Detailed instructions to employers have been issued by the Treasury Department, and may be obtained from the nearest Collector of Internal Revenue by requesting "Circular WT". Posters for display on the walls to explain the new tax to employees may likewise be obtained from the Collector by requesting "Withholding of Income Tax on Wages, Notice WT".

Spice Quotas Are Reduced

Reduction in the quotas of pepper and cinnamon available to packers, receivers and industrial users for the third quarter of 1943 was ordered June 29 by the War Food Administration.

Black and white pepper quotas were reduced to 40 per cent of the base period, compared to 60 per cent last quarter, and cassia (cinnamon) to 35 per cent, compared to 40. The base period in each case is the corresponding quarter of 1941. Quotas for other restricted spices remain unchanged—cloves, 90 per cent; ginger, 100 per cent; mace, 40 per cent; nutmeg, 60 per cent; and allspice, 115 per cent.

Officials said the disappearance of pepper earlier this year had exceeded expectations making it impossible to provide a 50 per cent quota basis during the third quarter, as anticipated. It is expected, however, that the revised quotas for pepper and cinnamon will provide an equitable distribution of available supplies. The new spice quota revisions are included in an order of the Director of Food Distribution, No. 19.2, effective July 1, which supersedes 19.1 as amended.

FSCC Is Buying Enzyme

Between now and July 9, the Food Distribution Administration expects to purchase, through the Federal Surplus Commodities Corporation, approximately 2,800 pounds of enzyme (pectinase), or its equivalent in potency.

Deliveries are desired as follows: 1,120 pounds during July, 280 pounds during August, and the balance, as wanted by FSCC, on or before December 31.

HOUSE FAILS TO OVERRIDE PRESIDENT'S VETO

(Continued from page 7741)

Control Act of 1942 to define more specifically the Price Administrator's authority to grant "production subsidies" with respect to commodities used for food purposes. This amendment, which also defines more clearly the authority of the Secretary of Agriculture to engage in food "support programs," provides that the authority of both the Price Administrator and the Secretary of Agriculture to buy commodities for food purposes shall be exercised only with the approval of the War Food Administrator. This amendment specifically authorizes continuance of "purchase and resale at a loss" programs for three named purposes of (1) assuring an adequate food supply for the

armed forces, (2) essential civilian needs, or (3) food "support" programs. But the total loss shall not exceed \$150,000,000, and the purchases approved by the War Food Administrator for sale at a loss must be made from the farmer or in the open market at a price which is not less than the maximum price or the support price. In this connection, the legislation added to the criteria for maximum prices for agricultural commodities fixed under the Emergency Price Control Act of 1942 an additional requirement that no maximum prices for those commodities shall be less than the "support" prices. It likewise requires that in disposing of any food products purchased, this shall be done "as soon as feasible through the regular recognized channels and functions of trade and distribution used in free and independent enterprise."

Although approval of "purchase and resale at a loss programs" may be granted by the War Food Administrator, the scope of the "purchase and resale" programs is seriously limited by a further provision that such programs shall not be used either (1) to "roll-back" any maximum price or (2) to carry out any support or purchase and resale programs which were not announced before July 1, 1943. This provision would apparently sharply curtail any future food "support" plans.

It is difficult at this time fully to assess the net effect of this legislation upon canners and the programs for the 1943 pack, due to the complicating effect of related legislation still under consideration and to the possibility of a Presidential veto. It does appear, however, from the Congressional debates, that the CCC 1943 purchase and resale program for corn, tomatoes, peas and snap beans is to be considered a "commitment" for the "current crop season" which is exempted and may be completed. It seems doubtful, however, that the current program could be extended to fruits and still be regarded as a "commitment" exempted from the subsidy prohibitions.

It also is uncertain whether the proposed CCC's absorption of labor costs under the "hardship clause" of the Corporation's purchase and resale contract as stated in the June 11 directive by Mr. Byrnes, will be regarded as a "commitment." This question will undoubtedly have to be clarified.

Following is the text of Sections 6 and 7 of the bill which deal with prices, roll-backs, subsidies, and buying and selling programs:

Section 6. (a) No maximum price shall be established or maintained for any agricultural commodity, including

milk and livestock and the products thereof, or for any commodity processed or manufactured in whole or substantial part from any agricultural commodity, below a price which will reflect to the producers thereof, a price below the support price therefor as heretofore or hereafter announced by the Secretary of Agriculture or the War Food Administrator, nor a price below the higher of the maximum prices provided in Section 3 of Public Law Numbered 729, approved October 2, 1942.

(b) No subsidy or other payments, other than those which have accrued prior to August 1, 1943, shall be made either directly or indirectly by the Government or any agency thereof, including any government-owned or controlled corporation, to a producer, processor, manufacturer, or any other person engaged in the production, marketing, distribution, or handling of any commodity referred to in subsection (a) either (1) for any reduction or roll-back of maximum prices or support prices so established, maintained or announced as may have been or may hereafter be ordered, or (2) as a substitute for or in lieu of increasing maximum prices or support prices already or hereafter established, maintained or announced, or (3) to maintain any maximum price already or hereafter established, from any funds heretofore or hereafter appropriated to, borrowed under congressional authorization by, or in the custody or control of any governmental agency, including any government-owned or controlled corporation, unless the Congress shall have specifically authorized the use of such funds for such purpose, except that the foregoing prohibition shall not apply until the end of the current crop season to any such commodity, other than milk and livestock and the products thereof, with respect to which the Government or any agency thereof was committed to the payment of such subsidies or other payments on June 15, 1943, or to government-owned wheat sold for feeding purposes if sold at not less than the parity price of corn, or to prevent such adjustments in the maximum or support prices on competitive domestic vegetable oils and fats and oil seed as may be required to bring about or to maintain the necessary relationship in the prices of such products that is required to assure adequate production for the war effort.

(c) Nothing contained in this section shall be construed to prevent the payment of all or any part of the purchase price or adjusted purchase price heretofore or hereafter paid or to be paid for such commodities sold to any governmental agency for governmental use.

(d) The definition of the term "person" in section 302 (h) of the Emergency Price Control Act of 1942 shall apply to the term "person" as used in this section.

Section 7. The first sentence of section 2(e) of the Emergency Price Control Act of 1942 is hereby amended by inserting before the period at the end

thereof a colon and the following: "Provided further, That the authority conferred by this section with respect to the buying, selling, storage, and use of commodities, and the authority conferred on the Secretary of Agriculture by Section 4 of the Act of July 1, 1941 (55 Stat. 498), as amended, shall, in the case of any commodity used for food purposes, be exercised only with the approval of the War Food Administrator created by Executive Order No. 9322, as amended, and only in such manner and upon such terms and conditions as he determines to be necessary to obtain the maximum necessary production of food to assure an adequate supply of food for the armed forces, for the essential civilian needs, and for carrying out the purposes of the Act of March 11, 1941. Such authority to buy commodities used for food purposes shall include the power to buy them for the purpose of selling at a loss, but any such purchase for sale at a loss (1) shall be made only from the farmer at a price not less than the higher of the maximum prices provided in section 3 of Public Law 729, approved October 2, 1942, and not less than the support price therefor as announced by the Secretary of Agriculture or the War Food Administrator, or (2) shall be made in the open market at a price which will reflect such price (referred to in clause (1)) to the farmer; and no such purchase for sale at a loss shall be made for the purpose of reducing or rolling back any maximum price established under the provisions of the Emergency Price Control Act of 1942, as amended; Provided further, That the War Food Administrator shall not approve purchases for the purpose of selling at a loss, except those required to carry out any program (other than a roll-back program) announced prior to July 1, 1943; and such approvals shall not involve losses in a total amount in excess of \$150,000,000. The government agency or corporation making such purchases shall dispose of the commodities purchased as soon as feasible through the regular recognized channels and functions of trade and distribution used in free and independent enterprise; but no such commodity shall be sold or disposed of by any governmental agency or corporation (1) at a price below the price limitations imposed by sections 3 (a) and 3 (c) of this Act or section 3 of Public Law 729, approved October 2, 1942, or (2) contrary to the provisions of the last sentence of this subsection or the provisions of section 2 (f) of this Act. No governmental agency or corporation shall buy any such commodity for the purpose of selling it at a loss except pursuant to the authority contained in this section."

OPA Appropriations—Grade Labeling

At the time the LETTER went to press, final action had not been taken on the bill making appropriations for the war agencies, including the OPA. This bill, as passed by the House, prohibited the use of OPA funds for the payment of salaries to OPA officials engaged in

subsidy programs and the use of OPA funds for roll-backs on food prices that have not reached parity. It provided that no part of the appropriation for the OPA "shall be used for the promulgation or enforcement of orders requiring grade labeling or standardization of food products, wearing apparel or other processed or manufactured commodities or articles." It required that policy-making price officials in the OPA have at least five years' experience in the industry concerned. The Senate approved the grade labeling provision but eliminated the prohibition of the employment of OPA personnel without business experience.

The conferees on the bill are reported to have eliminated the provisions against subsidies and modified the provision regarding qualifications of personnel by requiring that they have business experience, without fixing a definite number of years.

The precise effect of the grade labeling provision upon the existing requirement in MPR 306, requiring an AMA grade to be stated on the invoice, remains to be determined. However, Senator Taft stated on the floor that a strong OPA faction wanted grade labeling and standardization for which he believed no authority was intended to be granted by the Emergency Price Control Act. He therefore supported the amendment for the purpose of clearly showing this legislative intent. Since no one spoke in opposition to Senator Taft on this point, the Congressional purpose to prohibit grade labeling and standardization seems clear.

Since the CCC bill covered subsidies and roll-backs, the Senate removed from the OPA appropriation a prohibition against payment of salaries of officials working on such programs. However, the bill prohibits use of OPA funds for subsidies. Likewise, it appears from the debates on both bills that Congress apparently intended to prohibit the "roll-back or cost-of-living" subsidies, and to continue authority for "production" subsidies. Unfortunately the demarcation between these two types of subsidy as they relate to canning programs will remain far from clear until the legislative situation clears up.

Jones Issues Statement

Upon taking the oath of office to succeed Chester Davis as War Food Administrator on June 29, Judge Marvin Jones issued a statement, portions of which follow:

"In accepting the responsibilities of the Office of War Food Administrator, I do so with the firm belief that nothing is more important to the war effort and our domestic economy than a sound and

acceptable food production and distribution program. * * *

"As I view the present picture, several things are needed:

"1. A full allotment of materials for new machinery, supplies, repair parts, shelter and storage as well as processing facilities. This is being done but must be followed through and continued allocation assured. The Food Administrator has the authority to present the farm machinery equipment needs to the War Production Board and if these needs are not met the Food Administrator has the right to appeal to the President. I intend to exercise that authority.

"2. Farm labor has been and will continue to be a problem. There is a shortage of labor in all production lines but much has been done to keep sufficient help on the farms to produce and harvest our crops. I am confident this problem will be cared for. We must keep in mind, however, that war always creates a manpower shortage.

"3. Production requires seed, feed, fertilizer, and credits. These essentials must be planned for well in advance of planting time.

"4. A fair return must be assured the farmer for his production. This must be related to other prices in fairness to all.

"There are other steps that need to be and will be taken. I expect to counsel with the representatives of farm organizations and also with representatives of industry as to the food program. * * *

"As War Food Administrator, I expect to do the best job I can with the tools at hand. Conscious of my own limitations, I ask the cooperation of all. I hope that those who are disposed to criticize will make their suggestions and then join the team."

On the same date, Judge Jones then designated Paul A. Porter as Associate Administrator. Mr. Porter, formerly deputy administrator of OPA in charge of the rent control program, will serve as chief executive officer of WFA, from which position Jesse W. Tapp had resigned when Mr. Davis left. A native of Kentucky, Mr. Porter came into government service with the original Agricultural Adjustment Administration and served as executive assistant to Mr. Davis when the latter was administrator of AAA. Prior to joining OPA in 1942, Mr. Porter was on the staff of the National Advisory Council, as deputy to Mr. Davis, then the agricultural member of the Council.

It was announced on June 30 that Judge Jones has been added to both the Committee on War Mobilization and the War Production Board by President Roosevelt. Mr. Davis, when he held office as food administrator, was not a member of either of the two groups, but was represented on the Requirements Committee of WPB.

OFFICE OF PRICE ADMINISTRATION

(Document No. 18556)

PART 1341—CANNED AND PRESERVED FOODS

(MPR 306, Amdt. 9)

CERTAIN PACKED FOOD PRODUCTS

A statement of the considerations involved in the issuance of Amendment No. 9 to Maximum Price Regulation No. 306 has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 306 is amended in the following respects:

1. Section 1341.553 (a) (6), (7), (8) and (9) are added as follows:

Item	Section	Appendix
(6) Asparagus.....	1341.584	B
(7) Mustard Greens and Turnip Greens.....	1341.584	B
(8) Tomato products.....	1341.584	B
(9) Miscellaneous vegetables.....	1341.585	C

2. In section 1341.561 (a) the figure "9%" is amended to read "3%".

3. Section 1341.565 (e) is amended to read as follows:

(e) After May 18, 1943, no processor may sell more than one grade of any particular packed fruit or packed vegetable covered by this regulation under the same brand name unless the labels on the containers of the different items are clearly distinguished by appropriate words or symbols. For example, if a processor wishes to sell both Grade A and Grade B peas under the brand name "John Doe," he must sell Grade A as John Doe Grade A, Fancy, Supreme or other appropriate term and he must sell Grade B as John Doe Grade B, Extra Standard, Superior or other appropriate Grade A peas and Grade B corn under term. However, the processor may sell the same brand name without the addition of such distinguishing words or symbols on the respective labels.

4. Section 1341.565 (k) is added to read as follows:

(k) The foregoing provisions of this section apply:

(1) To all brand owners, whether or not processors, who affix labels or cause labels to be affixed to the packed fruits or vegetables covered by this regulation, packed by them or purchased by them for resale; and

(2) To any item covered by this regulation for which grades are established by the United States Department of Agriculture.

5. Section 1341.584 is amended to read as follows:

§ 1341.584 Appendix B: Maximum prices for packed vegetables—(a) Peas.

(1) The maximum prices per dozen containers, f. o. b. factory, for sales other than to government procurement agencies, shall be as follows:

Column 1 Item No.	Column 2 Variety	Column 3 Sieve size	Column 4 Grade	Column 5		Column 6		Column 7		Column 8	
				Region I		Region II		Region III		Region IV	
				No. 2 can and No. 303 glass jar (16-17 fl. oz.)	No. 10 can	No. 2 can and No. 303 glass jar (16-17 fl. oz.)	No. 10 can	No. 2 can and No. 303 glass jar (16-17 fl. oz.)	No. 10 can	No. 2 can and No. 303 glass jar (16-17 fl. oz.)	No. 10 can
1	Alaska.....	No. 1.....	A-Fancy.....	1.575	7.90	1.55	7.75	1.525	7.65	1.55	7.75
2			B-Ex. Std.....	1.425	7.15	1.40	7.00	1.375	6.90	1.40	7.00
3			C-Standard.....	1.275	6.40	1.25	6.25	1.225	6.15	1.25	6.25
4	Alaska.....	No. 2.....	A-Fancy.....	1.475	7.40	1.45	7.25	1.425	7.15	1.45	7.25
5			B-Ex. Std.....	1.325	6.65	1.30	6.50	1.275	6.40	1.30	6.50
6			C-Standard.....	1.175	5.90	1.15	5.75	1.125	5.65	1.15	5.75
7	Alaska.....	No. 3.....	A-Fancy.....	1.375	6.90	1.35	6.75	1.325	6.65	1.35	6.75
8			B-Ex. Std.....	1.225	6.15	1.20	6.00	1.175	5.90	1.20	6.00
9			C-Standard.....	1.125	5.65	1.10	5.50	1.075	5.40	1.10	5.50
10	Alaska.....	No. 4 and up.....	A-Fancy.....	1.375	6.40	1.25	6.25	1.225	6.15	1.25	6.25
11			B-Ex. Std.....	1.175	5.90	1.15	5.75	1.125	5.65	1.15	5.75
12			C-Standard.....	1.075	5.40	1.05	5.25	1.025	5.15	1.05	5.25
13	Alaska.....	Ungraded.....	A-Fancy.....	1.275	6.40	1.25	6.25	1.225	6.15	1.25	6.25
14			B-Ex. Std.....	1.175	5.90	1.15	5.75	1.125	5.65	1.15	5.75
15			C-Standard.....	1.075	5.40	1.05	5.25	1.025	5.15	1.05	5.25
16	Sweet.....	No. 1.....	A-Fancy.....	1.575	7.90	1.55	7.75	1.525	7.65	1.55	7.75
17			B-Ex. Std.....	1.425	7.15	1.40	7.00	1.375	6.90	1.40	7.00
18			C-Standard.....	1.275	6.40	1.25	6.25	1.225	6.15	1.25	6.25
19	Sweet.....	No. 2.....	A-Fancy.....	1.575	7.90	1.55	7.75	1.525	7.65	1.55	7.75
20			B-Ex. Std.....	1.425	7.15	1.40	7.00	1.375	6.90	1.40	7.00
21			C-Standard.....	1.275	6.40	1.25	6.25	1.225	6.15	1.25	6.25
22	Sweet.....	No. 3.....	A-Fancy.....	1.475	7.40	1.45	7.25	1.425	7.15	1.45	7.25
23			B-Ex. Std.....	1.325	6.65	1.30	6.50	1.275	6.40	1.30	6.50
24			C-Standard.....	1.175	5.90	1.15	5.75	1.125	5.65	1.15	5.75
25	Sweet.....	No. 4.....	A-Fancy.....	1.375	6.90	1.35	6.75	1.325	6.65	1.35	6.75
26			B-Ex. Std.....	1.225	6.15	1.20	6.00	1.175	5.90	1.20	6.00
27			C-Standard.....	1.125	5.65	1.10	5.50	1.075	5.40	1.10	5.50
28	Sweet.....	No. 5 and up.....	A-Fancy.....	1.375	6.40	1.25	6.25	1.225	6.15	1.25	6.25
29			B-Ex. Std.....	1.175	5.90	1.15	5.75	1.125	5.65	1.15	5.75
30			C-Standard.....	1.075	5.40	1.05	5.25	1.025	5.15	1.05	5.25
31			A-Fancy.....	1.425	7.15	1.40	7.00	1.375	6.90	1.40	7.00
32			B-Ex. Std.....	1.225	6.15	1.20	6.00	1.175	5.90	1.20	6.00
33			C-Standard.....	1.125	5.65	1.10	5.50	1.075	5.40	1.10	5.50
34	Prince of Wales and Laxton.....	Ungraded.....	A-Fancy.....	1.475	7.40	1.45	7.25	1.425	7.15	1.45	7.25
35			B-Ex. Std.....	1.225	6.15	1.20	6.00	1.175	5.90	1.20	6.00
36			C-Standard.....	1.075	5.40	1.05	5.25	1.025	5.15	1.05	5.25

*Copies may be obtained from the Office of Price Administration.

† P. R. 1114, 1313, 2921, 2732, 3883, 4179, 4633, 4940, 6617.

(2) The regions set forth in paragraph (a) (1) of this section shall be as follows:

Region I: Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia and North Carolina.

Region II: Ohio, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Nebraska, North Dakota, South Dakota, Kansas, Missouri, Oklahoma, Arkansas, Texas, Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina, Kentucky and Tennessee.

Region III: Montana, Idaho, Wyoming, Utah, Nevada, Colorado, Arizona, New Mexico.

Region IV: Oregon, Washington, California.

(3) The maximum price for any variety and sieve size below standard in grade shall be: In No. 2 cans or in No. 303 glass jars (16-17 fl. oz.) ten cents per dozen, and in No. 10 cans, fifty cents per dozen, less than the maximum price for standard grade of the same variety, sieve size, and container size for the particular region.

(4) Blends of sieve sizes:

(i) The maximum price for a blend of two sieve sizes of a variety and grade shall be the same as the maximum price for the largest sieve size in the blend.

(ii) The maximum price for a blend of three sieve sizes of a variety and grade in No. 2 cans or in No. 303 glass jars (16-17 fl. oz.) shall be five cents per dozen, and in No. 10 cans, twenty-five cents per dozen, more than the maximum price for the largest sieve size in the blend; except that:

(a) The maximum price for a blend of three sieve sizes of a grade of Alaska peas, No. 5 sieve size being the largest size in the blend, in No. 2 cans or in No. 303 glass jars (16-17 fl. oz.) shall be two and one-half cents per dozen, and in No. 10 cans, twelve and one-half cents per dozen, more than the maximum price for No. 4 and up sieve size of the same grade;

(b) The maximum price for a blend of three sieve sizes of a grade of Alaska peas which contains both No. 5 and No. 6 sieve sizes, shall be the same as the maximum price for No. 4 and up sieve size of the same grade; and

(c) The maximum price for a blend of three sieve sizes of a grade of sweet peas which contains both No. 5 and No. 6 sieve sizes, in No. 2 cans or in No. 303 glass jars (16-17 fl. oz.) shall be two and one-half cents per dozen, and in No. 10 cans,

twelve and one-half cents per dozen, more than the maximum price for No. 5 and up sieve size of the same grade.

(iii) The maximum price for a blend of four or more sieve sizes of a variety and grade shall be the same as the maximum price for the ungraded sieve size of the same variety and grade.

(5) The maximum price for a variety, sieve size (including blends) and grade of peas packed:

(i) In twelve ounce vacuum cans, shall be ten cents per dozen less than the maximum price for the same variety, sieve size and grade packed in No. 2 cans;

(ii) In No. 303 cans, shall be 85% of the maximum price for the same variety, sieve size and grade packed in No. 2 cans; and

(iii) In No. 1 cans, shall be 70% of the maximum price for the same variety, sieve size and grade packed in No. 2 cans.

(6) The word "ungraded," when used in connection with peas, refers to the sieve size and means not separated by sieve sizes.

(7) The maximum prices per dozen containers, f. o. b. factory, for any sieve size or grade of black eye or crowder peas in any region, shall be the same as the maximum price for the same sieve size, grade and container size of Alaska peas in the same region.

(8) The maximum prices per dozen containers, f. o. b. factory, for sales to government procurement agencies, shall be computed as follows:

(i) For each variety, sieve size and grade of peas in No. 2 cans, multiply the maximum price for sales other than to government procurement agencies by .96, and add to the resulting figure the amount designated for the appropriate state or portion thereof as follows:

Region and State	Cents per doz. No. 2 Cans
Region I:	
Connecticut.....	\$0.095
Delaware.....	.0975
Maine.....	.085
Maryland.....	.0975
Massachusetts.....	.095
New Hampshire.....	.095
New Jersey.....	.070
New York.....	.085
North Carolina.....	.07
Pennsylvania.....	.095
Rhode Island.....	.095
Vermont.....	.095
Virginia.....	.090
West Virginia.....	.07

Region and State	Cents per doz. No. 2 Cans
Region II:	
Alabama.....	\$0.095
Arkansas.....	.045
Florida.....	.095
Georgia.....	.095
Illinois.....	.1075
Indiana.....	.065
Iowa (Central).....	.1125
Iowa (balance of State).....	.0925
Kansas.....	.045
Kentucky.....	.1125
Louisiana.....	.095
Michigan.....	.0725
Minnesota.....	.095
Mississippi.....	.095
Missouri.....	.045
Nebraska.....	.0925
North Dakota.....	.045
Ohio.....	.095
Oklahoma.....	.045
South Carolina.....	.095
South Dakota.....	.045
Tennessee.....	.1125
Texas.....	.045
Wisconsin (Southeastern).....	.1075
Wisconsin (balance of State).....	.095

Region III:	
Arizona.....	.095
Colorado.....	.085
Idaho (Franklin County).....	.11
Idaho (balance of State).....	.035
Montana.....	.0925
Nevada.....	.095
New Mexico.....	.07
Utah.....	.11
Wyoming.....	.08
Region IV:	
California.....	.0975
Oregon.....	.095
Washington.....	.095

¹ Includes following counties: Hamilton, Story, Franklin, Benton.

² Includes following counties: Adams, Brown, Calumet, Columbia, Crawford, Dane, Dodge, Dorr, Fond du Lac, Grant, Green, Green Lake, Iowa, Jefferson, Juneau, Kewaunee, Kewaunee, LaPayette, Manitowoc, Marinette, Marquette, Milwaukee, Oconto, Outagamie, Oshkosh, Racine, Richland, Rock, Sauk, Shawano, Sheboygan, Walworth, Washington, Waukesha, Waupaca, Waushara, Winnebago.

(ii) For each variety, sieve size and grade of peas in No. 10 cans, multiply by 5 the maximum price determined under paragraph (i) for No. 2 cans.

(b) Tomatoes (except Italian pear shaped tomatoes). (1) The maximum prices per dozen containers, f. o. b. factory, for sales other than to government procurement agencies, shall be as follows:

Col. 1	Col. 2	Col. 3			Col. 4			Col. 5			Col. 6			Col. 7		
Item No.	Grade	Region I			Region II			Region III			Region IV			Region V		
		No. 2 Can	No. 2½ Can	No. 10 Can	No. 2 Can	No. 2½ Can	No. 10 Can	No. 2 Can	No. 2½ Can	No. 10 Can	No. 2 Can	No. 2½ Can	No. 10 Can	No. 2 Can	No. 2½ Can	No. 10 Can
1	Fancy.....	1.325	1.775	6.30	1.30	1.75	6.20	1.225	1.675	5.85	1.25	1.70	5.95	1.275	1.725	6.05
2	Extra-Standard.....	1.125	1.50	5.35	1.10	1.475	5.25	1.025	1.40	4.90	1.05	1.425	5.00	1.075	1.45	5.10
3	Standard.....	1.025	1.375	4.85	1.00	1.35	4.75	.925	1.275	4.40	.95	1.30	4.50	.975	1.325	4.90

(2) The regions set forth in paragraph (b) (1) of this section shall be as follows:

Region I: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York and Northern Pennsylvania (all of the State of Pennsylvania not included in Region II).

Region II: Delaware, Maryland, Virginia, West Virginia, New Jersey, Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Nebraska, North Dakota, South Dakota, and Southern Pennsylvania (Bucks, Montgomery, Philadelphia, Delaware, Chester, Lancaster, York, Cumberland, Adams, Franklin, Fulton, Bedford and Somerset Counties).

Region III: North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Missouri, Kansas, Oklahoma and Texas.

Region IV: Montana, Idaho, Wyoming, Colorado, Utah, New Mexico, Arizona and Nevada.

Region V: Oregon, Washington and California.

(3) The maximum price for any grade below standard shall be: In No. 2 cans, ten cents per dozen, in No. 2½ cans, seventeen and one-half cents per dozen, and in No. 10 cans, fifty cents per dozen, less than the maximum price for standard grade in the same container for the particular region.

(4) The maximum price for any grade of tomatoes packed:

(i) In No. 303 cans, shall be 85% of the maximum price for the same grade packed in No. 2 cans; and

(ii) In No. 1 cans, shall be 70% of the maximum price for the same grade packed in No. 2 cans.

(5) The maximum prices per dozen containers, f. o. b. factory, for sales to government procurement agencies, shall be computed as follows:

(i) For each grade of tomatoes in No. 2 cans, multiply the maximum price for sales other than to government procurement agencies by .96, and add to the resulting figure the amount designated for the appropriate state or portion thereof as follows:

Region and State	Cents per doz. No. 2 Cans
Region I:	
Connecticut.....	\$0.1025
Maine.....	.03
Massachusetts.....	.03
New Hampshire.....	.03
New York (Lower Hudson River Valley and Long Island) ¹.....	.1025
New York (balance of State).....	.06
Pennsylvania (Northern).....	.06
Rhode Island.....	.03
Vermont.....	.03
Region II:	
Delaware.....	.06
Illinois.....	.065
Indiana.....	.065
Iowa.....	.065
Kentucky.....	.065
Maryland.....	.06
Michigan.....	.065
Minnesota.....	.065
Nebraska.....	.065
New Jersey.....	.06
North Dakota.....	.065
Ohio.....	.065
Pennsylvania (Southern).....	.105
South Dakota.....	.065
Tennessee.....	.065

¹ Includes area lying below the city of Albany and closely adjacent to the Hudson River.

Region and State	Cents per doz. No. 2 cans
Region II—Continued	
Virginia.....	.06
West Virginia.....	.06
Wisconsin.....	.065
Region III:	
All States except Texas.....	.045
Texas (Webb, Duval, Jim Wells, Nueces, Zapata, Jim Hogg, Brooks, Kieberg, Kennedy, Starr, Willacy, Cameron and Hidalgo Counties).....	.09
Texas (balance of State).....	.045
Region IV:	
All States except Idaho.....	.075
Idaho (Boundary, Bonner, Kootenai, Benewah, Latah, Nez Perce, Lewis, Idaho, Clearwater and Shoshone Counties).....	.0675
Idaho (balance of State).....	.075
Region V:	
California (San Diego, Imperial, Orange, Riverside, Los Angeles, San Bernardino, and Ventura Counties, and that part of Santa Barbara County south of Gaviota Pass).....	.07
California (balance of State).....	.06
Oregon.....	.0675
Washington.....	.0675

(ii) For each grade of tomatoes in No. 2½ cans, multiply by 1.35 the maximum price determined under paragraph (i) for No. 2 cans.

(iii) For each grade of tomatoes in No. 10 cans, multiply by 4.75 the maximum price determined under paragraph (i) for No. 2 cans.

(c) Corn. (1) The maximum prices per dozen containers, f. o. b. factory, for sales other than to government procurement agencies, shall be as follows:

Col. 1	Col. 2	Col. 3	Col. 4			Col. 5			Col. 6			Col. 7		
Item No.	Variety and Style	Grade	Region I			Region II			Region III			Region IV		
			No. 2 Can	12 oz. Vacuum Can	No. 10 Can	No. 2 Can	12 oz. Vacuum Can	No. 10 Can	No. 2 Can	12 oz. Vacuum Can	No. 10 Can	No. 2 Can	12 oz. Vacuum Can	No. 10 Can
1	Whole grain, all varieties.....	A—Fancy.....	1.26	1.31	6.80	1.31	1.36	6.55	1.265	1.315	6.60	1.20	1.24	6.45
2		B—Ex Std.....	1.26	1.31	6.30	1.21	1.16	6.05	1.265	1.315	6.40	1.19	1.14	6.05
3		C—Std.....	1.16	1.11	5.80	1.11	1.06	5.55	1.165	1.115	5.60	1.06	1.04	5.45
4	Cream style, except evergreen and narrow grain.....	A—Fancy.....	1.26	1.31	6.30	1.21	1.16	6.05	1.265	1.315	6.40	1.19	1.14	6.05
5		B—Ex Std.....	1.16	1.11	5.80	1.11	1.06	5.55	1.165	1.115	5.60	1.06	1.04	5.45
6		C—Std.....	1.06	1.01	5.30	1.01	.96	5.05	1.065	1.015	5.40	.99	.94	4.95
7	Cream style, evergreen and narrow grain.....	A—Fancy.....	1.16	1.11	5.80	1.11	1.06	5.55	1.165	1.115	5.60	1.06	1.04	5.45
8		B—Ex Std.....	1.11	1.06	5.55	1.06	1.01	5.30	1.115	1.065	5.55	1.04	.99	5.20
9		C—Std.....	1.06	1.01	5.30	1.01	.96	5.05	1.065	1.015	5.40	.99	.94	4.95

(2) The regions set forth in paragraph (c) (1) of this section shall be as follows:

Region I: Maine and New Hampshire.

Region II: Ohio, Indiana, Illinois, Iowa, Nebraska, North Dakota, South Dakota, Michigan, Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, Kentucky, Tennessee and that portion of Idaho not included in Region III.

Region III: Washington, Oregon, California and southwestern Idaho (Washington, Payette, Gem, Canyon, Ada and Owyhee Counties).

Region IV: All States not included in Regions I, II and III.

(3) The maximum price for any variety and style in a grade below standard shall be: In No. 2 cans, ten cents per dozen, and in No. 10 cans, fifty cents per dozen, less than the maximum price for

standard grade in the same container for the particular region.

(4) The maximum price for any variety, style and grade of corn packed:

(i) In No. 303 cans, shall be 85% of the maximum price for the same variety, style and grade packed in No. 2 cans;

(ii) In No. 1 cans, shall be 70% of the maximum price for the same variety, style and grade packed in No. 2 cans; and

(iii) In No. 303 glass jars (16-17 fl. oz.) shall be two and one-half cents per dozen more than the maximum price for the same variety, style and grade packed in No. 2 cans.

(5) The maximum prices per dozen containers, f. o. b. factory, for sales to government procurement agencies, shall be computed as follows:

(i) For each variety, style and grade of corn in No. 2 cans, multiply the maximum price for sales other than to government procurement agencies by .96, and add to the resulting figure the amount designated for the appropriate state or portion thereof as follows:

Region and State	Cents per doz. No. 2 Cans
Region I:	
All States.....	\$.07
Region II:	
All States or portions thereof.....	.07
Region III:	
All States or portions thereof.....	.065
Region IV:	
Minnesota.....	.075
Wisconsin.....	.075
New York.....	.06
Pennsylvania.....	.06
New Jersey.....	.06

Region and State		Cents per doz.
Region IV—Continued.		No. 2 Cans
Delaware	.....	.00
Maryland	.....	.00
Virginia	.....	.00
Vermont	.....	.135
All other States	.....	.05

(ii) For each variety, style and grade of corn in 12 ounce vacuum cans, subtract \$.05 per dozen from the maximum price determined under paragraph (i) for No. 2 cans.

(iii) For each variety, style and grade of corn in No. 10 cans, multiply by 5 the

maximum price determined under paragraph (i) for No. 2 cans.

(d) Snap beans. (1) The maximum prices per dozen containers, f. o. b. factory, for sales other than to government procurement agencies, shall be as follows:

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5			Col. 6			Col. 7			Col. 8			Col. 9			Col. 10		
Item No.	Style	Sieve size	Grade	Region I—Bush beans—tin containers			Region II—Bush beans—tin containers			Region III—Bush beans—tin containers			Region IV—Bush beans—tin containers			Region V—Bush beans—tin containers			Region VI—Pole beans—tin containers		
				No. 2 Can	No. 2½ Can	No. 10 Can	No. 2 Can	No. 2½ Can	No. 10 Can	No. 2 Can	No. 2½ Can	No. 10 Can	No. 2 Can	No. 2½ Can	No. 10 Can	No. 2 Can	No. 2½ Can	No. 10 Can	No. 2 Can	No. 2½ Can	No. 10 Can
1	Whole, Regular (green or wax).	#1	A-Fancy	1.65	2.225	8.25	1.80	2.425	9.00	1.675	2.250	8.35	1.725	2.325	8.60	1.70	2.300	8.50	1.80	2.425	9.00
2			B-Ex. Std.	1.55	2.100	7.75	1.70	2.300	8.50	1.575	2.125	7.85	1.625	2.200	8.10	1.60	2.150	8.00	1.70	2.300	8.50
3			C-Std.	1.45	1.950	7.25	1.60	2.150	8.00	1.475	2.000	7.35	1.525	2.050	7.60	1.50	2.025	7.50	1.60	2.150	8.00
4		#2	A-Fancy	1.60	2.025	7.50	1.65	2.225	8.25	1.525	2.050	7.00	1.575	2.125	7.85	1.55	2.100	7.75	1.65	2.225	8.25
5			B-Ex. Std.	1.40	1.900	7.00	1.55	2.100	7.75	1.425	1.925	7.10	1.475	2.000	7.35	1.45	1.950	7.25	1.55	2.100	7.75
6			C-Std.	1.30	1.750	6.50	1.45	1.950	7.25	1.325	1.800	6.60	1.375	1.850	6.85	1.35	1.825	6.75	1.45	1.950	7.25
7		#3	A-Fancy	1.40	1.900	7.00	1.55	2.100	7.75	1.425	1.925	7.10	1.475	2.000	7.35	1.45	1.950	7.25	1.55	2.100	7.75
8			B-Ex. Std.	1.30	1.750	6.50	1.45	1.950	7.25	1.325	1.800	6.60	1.375	1.850	6.85	1.35	1.825	6.75	1.45	1.950	7.25
9			C-Std.	1.20	1.625	6.00	1.35	1.825	6.75	1.225	1.650	6.10	1.275	1.725	6.35	1.25	1.675	6.25	1.35	1.825	6.75
10		#4	A-Fancy	1.30	1.750	6.50	1.45	1.950	7.25	1.325	1.800	6.60	1.375	1.850	6.85	1.35	1.825	6.75	1.45	1.950	7.25
11			B-Ex. Std.	1.25	1.675	6.25	1.40	1.900	7.00	1.275	1.725	6.35	1.325	1.800	6.50	1.30	1.750	6.40	1.40	1.900	7.00
12			C-Std.	1.20	1.625	6.00	1.35	1.825	6.75	1.225	1.650	6.10	1.275	1.725	6.35	1.25	1.675	6.25	1.35	1.825	6.75
13		#5 and up.	A-Fancy	1.20	1.625	6.00	1.35	1.825	6.75	1.225	1.650	6.10	1.275	1.725	6.35	1.25	1.675	6.25	1.35	1.825	6.75
14			B-Ex. Std.	1.15	1.550	5.75	1.30	1.750	6.50	1.175	1.575	5.85	1.225	1.650	6.10	1.20	1.625	6.00	1.30	1.750	6.50
15			C-Std.	1.10	1.475	5.50	1.25	1.675	6.25	1.125	1.500	5.60	1.175	1.575	5.85	1.15	1.550	5.75	1.25	1.675	6.25
16		Ungraded.	A-Fancy	1.20	1.625	6.00	1.35	1.825	6.75	1.225	1.650	6.10	1.275	1.725	6.35	1.25	1.675	6.25	1.35	1.825	6.75
17			B-Ex. Std.	1.15	1.550	5.75	1.30	1.750	6.50	1.175	1.575	5.85	1.225	1.650	6.10	1.20	1.625	6.00	1.30	1.750	6.50
18			C-Std.	1.10	1.475	5.50	1.25	1.675	6.25	1.125	1.500	5.60	1.175	1.575	5.85	1.15	1.550	5.75	1.25	1.675	6.25
19		#2	A-Fancy	1.45	1.950	7.25	1.60	2.150	8.00	1.475	2.000	7.35	1.525	2.050	7.60	1.50	2.025	7.50	1.60	2.150	8.00
20			B-Ex. Std.	1.35	1.825	6.75	1.50	2.025	7.50	1.375	1.850	6.85	1.425	1.925	7.10	1.40	1.900	7.00	1.50	2.025	7.50
21			C-Std.	1.25	1.675	6.25	1.40	1.900	7.00	1.275	1.725	6.35	1.325	1.800	6.50	1.30	1.750	6.40	1.40	1.900	7.00
22		#3	A-Fancy	1.35	1.825	6.75	1.50	2.025	7.50	1.375	1.850	6.85	1.425	1.925	7.10	1.40	1.900	7.00	1.50	2.025	7.50
23			B-Ex. Std.	1.25	1.675	6.25	1.40	1.900	7.00	1.275	1.725	6.35	1.325	1.800	6.50	1.30	1.750	6.40	1.40	1.900	7.00
24			C-Std.	1.15	1.550	5.75	1.30	1.750	6.50	1.175	1.575	5.85	1.225	1.650	6.10	1.20	1.625	6.00	1.30	1.750	6.50
25		#4	A-Fancy	1.25	1.675	6.25	1.40	1.900	7.00	1.275	1.725	6.35	1.325	1.800	6.50	1.30	1.750	6.40	1.40	1.900	7.00
26			B-Ex. Std.	1.20	1.625	6.00	1.35	1.825	6.75	1.225	1.650	6.10	1.275	1.725	6.35	1.25	1.675	6.25	1.35	1.825	6.75
27			C-Std.	1.15	1.550	5.75	1.30	1.750	6.50	1.175	1.575	5.85	1.225	1.650	6.10	1.20	1.625	6.00	1.30	1.750	6.50
28		#5 and up.	A-Fancy	1.15	1.550	5.75	1.30	1.750	6.50	1.175	1.575	5.85	1.225	1.650	6.10	1.20	1.625	6.00	1.30	1.750	6.50
29			B-Ex. Std.	1.10	1.475	5.50	1.25	1.675	6.25	1.125	1.500	5.60	1.175	1.575	5.85	1.15	1.550	5.75	1.25	1.675	6.25
30			C-Std.	1.05	1.425	5.25	1.20	1.625	6.00	1.075	1.450	5.35	1.125	1.525	5.60	1.10	1.475	5.50	1.20	1.625	6.00
31		Ungraded.	A-Fancy	1.15	1.550	5.75	1.30	1.750	6.50	1.175	1.575	5.85	1.225	1.650	6.10	1.20	1.625	6.00	1.30	1.750	6.50
32			B-Ex. Std.	1.10	1.475	5.50	1.25	1.675	6.25	1.125	1.500	5.60	1.175	1.575	5.85	1.15	1.550	5.75	1.25	1.675	6.25
33			C-Std.	1.05	1.425	5.25	1.20	1.625	6.00	1.075	1.450	5.35	1.125	1.525	5.60	1.10	1.475	5.50	1.20	1.625	6.00

(2) The regions set forth in paragraph (4) (1) of this section shall be as follows:

Region I: Maine, New Hampshire, Vermont, Massachusetts, Connecticut and Rhode Island.

Region II: New York.

Region III: Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Oklahoma, Arkansas, Missouri and Kansas.

Region IV: Ohio, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Nebraska, North Dakota and South Dakota.

Region V: Arizona, Montana, Wyoming, Colorado, New Mexico, Utah, Nevada and that part of Idaho not included in Region VI.

Region VI: Washington, Oregon, California, and Southwestern Idaho (Washington, Payette, Gem, Canyon, Ada and Owyhee counties).

(3) Differentials for other types of snap beans for which maximum prices are not named in paragraph (d) (1) of this section:

(i) In Regions I, II, III, IV and V, the maximum prices for pole beans shall be: In No. 2 cans, five cents per dozen, in No. 2½ cans, seven and one-half cents per dozen, and in No. 10 cans twenty-five cents per dozen, higher than the maximum prices named for bush beans.

(ii) In Region VI, the maximum prices for bush beans shall be: In No. 2 cans, five cents per dozen, in No. 2½ cans,

seven and one-half cents per dozen, and in No. 10 cans, twenty-five cents per dozen, lower than the maximum prices named for pole beans.

(4) Differentials for other styles of pack for which maximum prices are not named in paragraph (d) (1) of this section:

(i) The maximum prices for asparagus style, horizontal style or vertical style of pack shall be: In No. 2 cans, twenty-five cents per dozen, in No. 2½ cans, thirty-two and one-half cents per dozen, and in No. 10 cans, \$1.25 per dozen, higher than the maximum prices for whole beans of the same variety and grade, as listed herein or as determined by differential under the provisions of this section.

(ii) The maximum prices for French style of pack shall be: In No. 2 cans, five cents per dozen, in No. 2½ cans, seven and one-half cents per dozen, and in No. 10 cans, twenty-five cents per dozen, higher than the maximum prices for whole beans of the same variety and grade, as listed herein or as determined by differential under the provisions of this section.

(5) Blends of sieve sizes. (i) The maximum price of a blend of two sieve sizes of a variety and grade shall be the maximum price of the largest sieve size in the blend.

(ii) The maximum price of a blend of three sieve sizes containing only No. 4 sieve size and larger shall be the same as the maximum price for the same variety and grade, ungraded as to sieve size, in the same container. The maximum price of a blend of three sieve sizes of a variety and grade, which blend includes at least one sieve size which is smaller than No. 4 sieve size shall be: In No. 2 cans, five cents per dozen, in No. 2½ cans, seven and one-half cents per dozen and in No. 10 cans, twenty-five cents per dozen, more than the maximum price of the largest sieve size in the blend, packed in the same container.

(iii) The maximum price of a blend of four or more sieve sizes of a variety and grade shall be the same as the maximum price for ungraded sieve size of the same variety and grade in the same container.

(6) The maximum price for any variety, style and sieve size (including blends) below standard in grade shall be: In No. 2 cans, ten cents per dozen, in No. 2½ cans, twelve and one-half cents per dozen, and in No. 10 cans, fifty cents per dozen, less than the maximum price for the same variety, style and sieve size (including blends) for standard grade in the same container for the particular region.

(7) The maximum price for any variety, style, sieve size (including blends) and grade of snap beans packed:

(i) In No. 303 cans, shall be 85% of the maximum price for the same variety, style, sieve size (including blends) and grade packed in No. 2 cans;

(ii) In No. 1 cans, shall be 70% of the maximum price of the same variety, style, sieve size (including blends) and grade packed in No. 2 cans; and

(iii) In No. 303 glass jars (16-17 fl. oz.) shall be two and one-half cents per dozen more than the maximum price for the same variety, style, sieve size (including blends) and grade packed in No. 2 cans.

(8) The word "ungraded" when used in connection with snap beans, refers to the sieve size and means not separated by sieve sizes, and includes all blends of more than three sieve sizes.

(9) The maximum prices per dozen containers, f. o. b. factory, for sales to government procurement agencies, shall be computed as follows:

(i) For each variety, style, sieve size (including blends) and grade of snap beans in No. 2 cans multiply the maximum price for sales other than to government procurement agencies by .96, and add to the resulting figure the amount designated for the appropriate state or portion thereof as follows:

Region and State	Cents per doz. No. 2 cans
Region I:	
All States	\$.15
Region II:	
New York	.06
Region III:	
Alabama	.025
Arkansas	.075
Delaware	.075
Florida	.025
Georgia	.025

Region and State	Cents per doz. No. 2 cans
Region III—Continued.	
Kansas	\$.035
Kentucky	.025
Louisiana	.025
Maryland	.075
Mississippi	.025
Missouri (McDonald, Newton, Barry, Lawrence, Stone, Christian, Greene, Taney, Webster, Douglas, Osark, Howell, Texas, Shannon, Oregon, Carter, Ripley, Butler, Stoddard, Dunklin, Pemiscot, Wright, New Madrid and Mississippi counties)	.075
Missouri (balance of State)	.025
New Jersey	.075
North Carolina	.025
Oklahoma (Delaware, Mayes, Wagoner, Tulsa, Cherokee, Adair, Muskogee, Sequoyah, Haskell, LeFlore, Bushmataha, Choctaw and McCurtain counties)	.075
Oklahoma (balance of State)	.025
Pennsylvania	.075
South Carolina	.025
Tennessee	.025
Texas (Fannin, Lamar, Red River, Bowie and Cass counties)	.80
Texas (balance of State)	.025

Region and State	Cents per doz. No. 2 cans
Region III—Continued.	
Virginia	\$.075
West Virginia	.075
Region IV:	
All States	.07
Region V:	
All States or portions thereof	.11
Region VI:	
California: pole beans	.13
other than pole beans	.06
All other States or portions thereof	.13

(ii) For each variety, style, sieve size (including blends) and grade of snap beans in No. 2½ cans, multiply by 1.35 the maximum price determined under paragraph (i) for No. 2 cans.

(iii) For each variety, style, sieve size (including blends) and grade of snap beans in No. 10 cans, multiply by 5 the maximum price determined under paragraph (i) for No. 2 cans.

(e) *Spinach*. (1) The maximum prices per dozen containers, f. o. b. factory, for sales other than to government procurement agencies, shall be as follows:

Col. 1	Col. 2	Col. 3	Col. 4
Item No.	Grade	State or area	Container
			No. 2 Can No. 2½ Can No. 10 Can
1	A or fancy	All	\$1.175 \$1.475 \$5.15
2	C or standard	All	1.075 1.35 4.75
3	Below standard	All	.925 1.16 4.10

(2) The maximum prices per dozen containers, f. o. b. factory, for sales to government procurement agencies shall be 96% of the maximum prices for sales other than to government procurement agencies as set forth in paragraph (1).

(f) *Asparagus*. (1) The maximum price per dozen containers, f. o. b. factory, for sales other than to government procurement agencies shall be as follows:

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8
Item No.	Variety	Style	Grade	Size	California	Washington and Oregon	All other States
					No. 2 Cans No. 2½ Cans No. 10 Cans	No. 2 Cans No. 10 Cans	No. 2 Cans No. 10 Cans
1	All Green	Spears	A-Fancy	Colossal	\$3.55	\$3.475	\$3.50
2				Mammoth	3.425	3.425	3.45
3				Large	3.45	3.35	3.50
4				Medium	3.35	3.25	3.15
5				Small	3.275	3.125	2.95
6		Cut Spears			2.825	\$14.30	\$13.00
7		Center Cuts			1.45	7.70	1.80
8	Green Tipped	Spears	A-Fancy	Colossal	3.025		
9				Mammoth	3.025		
10				Large	3.025		
11				Medium	3.025		
12				Small	2.725		
13	Other than All Green	Cut Spears	A-Fancy			13.30	
14		Center Cuts			1.075	8.30	
15		Sliced Points				17.30	
16		Soup Cuts			\$2.775	9.80	

(2) The maximum price for any grade below grade A or fancy shall be: In No. 2 cans, twenty cents per dozen, in No. 2½ cans, thirty cents per dozen, and in No. 10 cans, one dollar, less than the maximum price per dozen for the same container, variety, style and size for

grade A or fancy for the particular region.

(3) The maximum price per dozen, f. o. b. factory, for each grade of blended spears in No. 2 cans shall be the canner's maximum price per dozen, f. o. b. factory, for the 1942 pack of the same

grade of blended spears, plus the sum of thirty cents per dozen in the states of California, Washington and Oregon, or the sum of twenty cents per dozen in all other States.

(4) The maximum prices per dozen containers, f. o. b. factory, for sales to

government procurement agencies shall be 96% of the maximum price for sales other than to government agencies as set forth in paragraphs (1), (2) and (3).

(g) *Mustard greens and turnip greens.* (1) The maximum prices per dozen containers, f. o. b. factory, for sales other than to government procurement agencies, shall be as follows:

Col. 1 Item No.	Col. 2 Grade	Col. 3 State or area	Col. 4 Container Size	
			No. 2½ cans	No. 10 cans
1	A or fancy.....	All.....	\$1.30	\$4.30
2	C or standard.....	All.....	1.075	3.75
3	Below standard.....	All.....	.95	3.30

(2) The maximum price per dozen containers, f. o. b. factory, for sales to government procurement agencies shall be 96% of the maximum price for sales other than to government procurement agencies as set forth in paragraph (1).

(h) *Tomato products.* (1) The tomato products covered by the following paragraphs are tomato catsup, chili sauce, tomato puree, tomato paste, tomato juice and tomato sauce, and Italian pear shaped tomatoes.

(2) The maximum prices per dozen containers, f. o. b. factory, for sales other than to government procurement agencies of the tomato products set forth in paragraph (1) shall be computed by the processor by adjusting his maximum price per dozen, f. o. b. factory, for the 1942 pack of the same tomato product of the same grade and in the same container as follows:

(i) Deduct the total 1942 raw tomato cost per dozen containers as required to be reported in column (8) of the report filed under Maximum Price Regulation No. 152.

(ii) Add to the figure so obtained the total raw tomato cost per dozen containers determined by dividing the resale price of the Commodity Credit Corporation for the region where the processor's factory is located by the number of dozens of containers obtained per ton of raw tomatoes as required to be reported in column (5) of the report filed under Maximum Price Regulation No. 152.

(3) The processor's maximum price per dozen No. 10 cans of tomato catsup, regardless of the provisions of paragraph (2), shall be at least equal to his maximum price per dozen for the same grade in 14 ounce bottles (determined under paragraph (2)) multiplied by 6.5.

(4) Any processor who established a maximum price for any grade and size of his 1942 pack of any particular tomato product set forth in paragraph (1) by the adoption of a competitor's maximum price shall adopt the same competitor's maximum price for the 1943 pack of the same product, grade and size.

(i) Where the same competitor does not pack such product in 1943, the processor shall establish his maximum price for such product by adopting his closest competitive seller's maximum price for the same grade and size of the 1943 pack of the same product.

(ii) Where the processor did not pack the same grade and size of any of such products in 1943, the maximum price of

his closest competitive seller for the same grade and size of the 1943 pack of the same product shall be the processor's maximum price.

(5) In the event that a processor cannot establish a maximum price for any grade or size of any such tomato product under the foregoing provisions, he shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price. His application shall contain:

(i) A full description of the item which is the subject of the application, and an itemized statement of his costs therefor.

(ii) A description of the most similar grade and size of the same product, or if he does not pack the same product in another grade and size, his most similar product; an itemized statement of his costs therefor; and his maximum price for such item. Separate maximum prices will be authorized for government procurement agencies and for other sales.

(6) The maximum prices per dozen containers, f. o. b. factory, for sales to government procurement agencies shall be:

(i) 96% of the maximum price for sales other than to government procurement agencies as established under paragraphs (1) through (5) inclusive, plus

(ii) The increased cost of raw tomatoes computed as follows:

(a) Determining the amount of the difference between the Commodity Credit Corporation's purchase price and resale price per ton of raw tomatoes for the area where the processor's factory is located.

(b) Divide that amount by the number of dozens of containers obtained per ton of raw tomatoes as required to be reported in column (5) of the report filed under Maximum Price Regulation No. 152. The resulting figure is the processor's increased cost of raw tomatoes per dozen containers, which, when added to 96% of the maximum price for sales other than to government procurement agencies, constitutes the maximum price for sales to government procurement agencies.

6. Section 1341.585, Appendix C, is added to read as follows:

§ 1341.585 Appendix C: Maximum prices for certain miscellaneous canned vegetables. (a) The miscellaneous

canned vegetables listed below include the canned juices of such vegetables. The miscellaneous canned vegetables covered in this section are as follows:

Group I:

Artichokes
Bamboo sprouts
Bean sprouts
Celery
Hominy
Okra
Onions
Parsnips
Peppers
Pickles
Pimientos
Pumpkins
Rhubarb
Squash
Turnips
Vegetable greens (except spinach, mustard greens and turnip greens)

Group II:

Beans, Lima (fresh)
Beets
Carrots

Group III:

Mixed vegetables or mixed vegetable juices

(1) *Maximum prices for vegetables and vegetable juices in Group I.* (i) The processor's maximum price per dozen containers, f. o. b. factory, for sales other than to government procurement agencies, shall be the processor's maximum price for the 1942 pack for the same variety, style, grade and container size of the same item, plus 20% of the raw vegetable cost per dozen as required to be reported in column (8) of the report filed under Maximum Price Regulation No. 152.

(ii) The processor's maximum price per dozen containers, f. o. b. factory, for sales to government procurement agencies shall be 96% of the maximum price for sales other than to government procurement agencies as established under paragraph (1).

(2) *Maximum prices for vegetables and vegetable juices in Group II.* (i) The processor's maximum price per dozen containers, f. o. b. factory, for sales other than to government procurement agencies, shall be computed by the processor by adjusting his maximum price per dozen, f. o. b. factory, for the 1942 pack of the same variety, style, grade and container as follows:

(a) Deduct the total 1942 raw vegetable cost per dozen containers as required to be reported in Column (8) of the report filed under Maximum Price Regulation No. 152.

(b) Add to the figure so obtained the total raw vegetable cost per dozen containers determined by dividing the applicable support price of the War Food Administration for the area where the processor's factory is located by the number of dozens of containers obtained per ton of raw vegetable as required to be reported in column (5) of the report filed under Maximum Price Regulation No. 152.

(ii) The processor's maximum price per dozen containers, f. o. b. factory, for sales to government procurement agencies, shall be 96% of the maximum price for sales other than to government pro-

curement agencies as established under paragraph (1).

(3) *Maximum prices for mixed vegetables and mixed vegetable juices (Group III).* (1) The processor's maximum price per dozen containers, f. o. b. factory, for sales other than to government procurement agencies, shall be his maximum price for the same item of the 1942 pack, adjusted for the difference in raw vegetable cost, to be computed as provided herein. The difference in cost shall be separately computed for each vegetable in the combination, as follows:

(a) For raw vegetables in Group I, increase the raw vegetable cost for such vegetables required to be used in computing maximum prices for the 1942 pack, by 20%.

(b) For raw vegetables in Group II, deduct the raw vegetable cost for such vegetables required to be used in computing maximum prices for the 1942 pack and add the 1943 raw vegetable cost for such vegetables, obtained by dividing the applicable support price of the War Food Administration for the area in which the processor's factory is located by the dozen container yield per ton required to be used in computing the 1942 maximum price.

(c) For raw vegetable cost of corn, peas, snap beans or tomatoes used in the item, deduct the raw vegetable cost for such vegetables required to be used in computing the maximum prices for the 1942 pack, and add the 1943 raw vegetable cost for such vegetables, obtained by dividing the resale price of the Commodity Credit Corporation for the area in which the processor's factory is located by the dozen container yield per ton required to be used in computing the 1942 maximum prices.

(ii) The maximum prices per dozen containers, f. o. b. factory, for sales to government procurement agencies shall be 96% of the maximum prices for sales other than to government procurement agencies, except that for any item containing corn, peas, snap beans or tomatoes, the processor shall add the amount of the difference between the Commodity Credit Corporation's purchase price and resale price per ton of such raw vegetable for the area where the processor's factory is located, divided by the dozen container yield per ton required to be used in computing the 1942 maximum prices.

(4) *Maximum prices for vegetables and vegetable juices in Groups I, II and III in certain instances.* (1) Any processor who established a maximum price for any variety, style, grade and container of his 1942 pack of any particular item in Group I, II or III by the adoption of a competitor's maximum price, shall adopt the same competitor's maximum price for the 1943 pack of the same item.

(a) Where the same competitor does not pack such item in 1943, the processor

shall establish his maximum price for such item by adopting his closest competitive seller's maximum price for the same variety, style, grade and container of the 1943 pack of the same item.

(ii) Where the processor did not pack the same variety, style, grade and container of any particular item in Group I, II or III in 1942, the maximum price of his closest competitive seller for the same variety, style, grade and container of the 1943 pack of the same item shall be the processor's maximum price.

(iii) In the event that a processor cannot establish his maximum price under the foregoing provisions of the regulation, he shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price. His application shall contain:

(a) A statement of the reasons for his inability to establish a maximum price for the item which is the subject of the application.

(b) A full description of the item which is the subject of the application.

(1) Peas.

Region	State	Grade	Multiply maximum price by—		
			Alaska, Blackeyes and Crowder	Sweet	Laxton and Prince of Wales
I	Delaware, Maryland and New York	Fancy	1.02	1.025	1.03
		All other	1.02	1.02	1.03
II	Illinois, Indiana, Michigan, Minnesota, Ohio and Wisconsin	Fancy	1.025	1.025	1.03
		All other	1.03	1.03	1.03
III	Colorado and Utah	Fancy	1.02	1.02	1.03
		All other	1.025	1.02	1.03
IV	California, Oregon and Washington	Fancy	1.02	1.02	1.03
		All other	1.025	1.02	1.03

(2) Tomatoes (except Italian pear shaped tomatoes).

Region	States	Grade	Multiply maximum price by—	
			Fancy	All other
I	New York	Fancy	1.035	1.040
II	Delaware, Illinois, Indiana, Maryland, Michigan, Minnesota, Ohio, Wisconsin	Fancy	1.045	1.045
		All other	1.045	1.045
IV	Colorado, Utah	Fancy	1.040	1.040
		All other	1.040	1.040
V	California, Oregon, Washington	Fancy	1.040	1.040
		All other	1.040	1.040

(3) Corn.

Region	States	Grade	Multiply maximum price by—	
			Cream Style	Whole Kernel
II	Colorado, Illinois, Indiana, Michigan, Utah	Fancy	1.030	1.025
		All other	1.035	1.040
III	California, Oregon, Washington	Fancy	1.030	1.025
		All other	1.030	1.025
IV	Delaware, Maryland, Minnesota, New York, Wisconsin	Fancy	1.030	1.030
		All other	1.035	1.045

and an itemized statement of his costs therefor.

(c) A description of the most similar grade and container of the same item, or if he does not pack the same product in another grade and container, his most similar product; an itemized statement of his costs therefor; and his maximum price for such item. Separate maximum prices will be authorized for sales to government procurement agencies add for all other sales.

7. Section 1341.586, Appendix D, is added to read as follows:

§ 1341.586 Appendix D: Adjustment of maximum prices for approved increases in wage rates. (a) Processors whose factories are located in the States or portions thereof listed below, shall adjust their maximum prices for sales to government procurement agencies, computed under the foregoing provisions of this regulation, for the following items, by multiplying such maximum prices by the figure indicated for each such State or portion thereof:

(4) Snap beans.

Region	States	Grade	Multiply maximum price by—	
			Cut	Whole
II	New York.....	Fancy.....	1.025	1.030
		All other.....	1.030	1.015
III	Delaware, Maryland.....	Fancy.....	1.020	1.020
		All other.....	1.025	1.020
IV	Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.....	Fancy.....	1.035	1.030
		All other.....	1.040	1.040
V	Colorado, Utah.....	Fancy.....	1.030	1.035
		All other.....	1.035	1.035

(b) Processors whose factories are located in the States or portions thereof listed below, shall adjust their maximum prices for the following items, for sales to government procurement agencies and for other sales, respectively, by multiplying the maximum prices established under the foregoing provisions of this regulation by the figure indicated for each such State or portion thereof:

(1) Spinach, mustard greens and turnip greens.

State	Grade	Multiply maximum price by—
California, Colorado, Delaware, Illinois, Indiana, Maryland, Michigan, Minnesota, New York, Ohio, Oregon, Utah, Washington, and Wisconsin.	All....	1.045

(2) Asparagus.

State	Variety and grade	Multiply maximum price by—
California.....	All....	1.02
Oregon and Washington.....	All....	1.03
Colorado, Delaware, Illinois, Indiana, Maryland, Michigan, Minnesota, New York, Ohio, Utah and Wisconsin.	All....	1.04

(c) Processors whose factories are located in the States or portions thereof

listed below shall adjust their maximum prices established under the foregoing provisions of this regulation for sales of the items designated to government procurement agencies if they have incurred wage rate increases approved by the Office of Economic Stabilization. Such adjustments are to be made only when the wage rate increases become effective after January 1, 1943. The adjustments are to be made for any item listed below, but only when 50% or more of the processor's pack of the particular item was made after the effective date of the wage rate increase. Such adjustments are to be made by multiplying the maximum prices for sales to government procurement agencies by the figure indicated for each such State or portion thereof.

(1) Tomato juices.

State:	Multiply maximum price by—
New York.....	1.04
Delaware and Maryland.....	1.035
Illinois, Indiana, Michigan, Minnesota, Ohio and Wisconsin.....	1.045
California, Colorado, Oregon, Utah and Washington.....	1.02

(2) All tomato products set forth in § 1341.584 (h), except tomato juice.

State:	Multiply maximum price by—
California, Colorado, Oregon, Utah and Washington.....	1.02

Multiply maximum price by—
State:
Delaware, Illinois, Indiana, Maryland, Michigan, Minnesota, New York, Ohio, and Wisconsin..... 1.04

(d) Processors whose factories are located in the States or portions thereof listed below shall adjust their maximum prices established under the foregoing provisions of this regulation for sales of the items designated to government procurement agencies and also their maximum prices for other sales if they have incurred wage rate increases approved by the Office of Economic Stabilization. Such adjustments are to be made only when the wage rate increases become effective after January 1, 1943. The adjustments are to be made for any item listed below, but only when 50% or more of the processor's pack of the particular item was made after the effective date of the wage rate increase. Such adjustments are to be made for sales to government procurement agencies by multiplying the maximum price for such sales by the figure indicated for each state or portion thereof, and such adjustments are to be made for sales other than to government procurement agencies by multiplying the maximum prices for such sales by the same figure.

(1) All miscellaneous vegetables set forth in Groups I, II and III in § 1341.585 (a).

State:	Multiply maximum price by—
California, Colorado, Delaware, Illinois, Indiana, Maryland, Michigan, Minnesota, New York, Ohio, Oregon, Utah, Washington and Wisconsin.....	1.045

This amendment shall become effective July 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of July, 1943.

PRENTISS M. BROWN,
Administrator.